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DOCUMENTARY HISTORY OF RECONSTRUCTION

VOLUME II

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SIXTY-FIVE MEMBERS OF THE SOUTH CAROLINA LEGISLATURE, 1868-1872

[*From a photograph in possession of the Editor*]

Twenty-two of the entire legislature of 155 members could read and write; several could write only their names; 41 signed by an X mark. Of the 98 negro members, one paid $83 taxes, 30 together paid $60, and 67 paid none. Of the 57 whites, 11 Conservatives paid $194; 22 Radicals paid $297; and 24 Radicals paid none. None of the state officers, except the lieutenant governor, paid taxes. The taxes levied amounted to $2,000,000 a year, and in addition the bonded debt was increased by about $20,000,000 by 1872. When the legislature and state officers went out of office they paid taxes on a great deal of property;

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DOCUMENTARY HISTORY OF RECONSTRUCTION

Political, Military, Social, Religious, Educational & Industrial 1865 to the Present Time

BY

WALTER L. FLEMING, Ph. D.

PROFESSOR OF HISTORY IN WEST VIRGINIA UNIVERSITY

With facsimiles

VOLUME II

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1907

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PREFACE

In the first volume of this work documents were presented to illustrate the problems of Reconstruction and the attempts made to solve them, ending with the restoration of the seceded states to the Union. In this volume the aim is to illustrate the working out of Reconstruction in the South, with special reference to race relations, political morality, and economic, educational and religious matters. Some material is included to illustrate later phases of certain problems of Reconstruction. Legal and official documents are fewer in this volume than in the former one, more points of controversy arise in the period covered, and feeling was more intense, consequently, the psychological element to be considered is more important. As to origin the various documents may be roughly classified, according to bias or inclination, thus: State laws, 7; Federal laws, 9; Court decisions, 6; Northern Radical, 51; Northern Conservative, 36; Southern Conservative, 121 (including 4 "Old Whigs" and 10 negroes); Southern Radical, 76 ("carpetbaggers," 26; "scalawags," 20; negroes, 30); Southern Unionist, 10; Southern "Reform" Republican, 5; foreigners, 7; unclassified, 10. Parts of Chapters vii, viii, and xii have been taken from a series of pamphlets, now out of print, published in 1904, entitled *West Virginia University Documents Relating to Reconstruction*. For encouragement and assistance in issuing that series which grew into this collection, my thanks are due especially to President D. B. Purinton and Professor W. T. Barbe of West Virginia University. To others also, to whom acknowledgments were made in the first volume, I am indebted for courtesies while at work on this one.

WALTER L. FLEMING

West Virginia University,
Morgantown, January, 1907.

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VII

THE UNION LEAGUE OF AMERICA

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VII

THE UNION LEAGUE OF AMERICA

INTRODUCTION

THE elections of 1867 and 1868 in the South showed that the negroes were under the control of a few white leaders, mostly from the North, though there were some natives. These leaders secured practically all the offices, from United States senator down to justice of the peace. The mass of Southern whites found it impossible to gain any political influence over the blacks. In order to understand the control of the carpetbagger (white Radical from the North) and the scalawag (Southern white Radical) it is necessary to study the secret political society known as the Union or Loyal League, which with its iron discipline held together the blacks for several years. The order began in the North in 1862 as a movement to organize and make effective loyal sentiment; it expanded rapidly and before the close of the war had considerable influence. When the war ended it was extended among the Southern Unionists who had already formed small secret orders hostile to the Confederacy. These orders, such as the Heroes of America, the Red Strings, and the Lincoln Brotherhood, were absorbed into the League and the members hoped, through this society, to organize an effective anti-Confederate political party in the South. In 1865-1866 it had a large membership in the white districts.

The entire character of the order was changed in 1866-1868 by the admission of negroes into those League organ-

izations controlled by the agents of the Freedmen's Bureau and other representatives of the conquering North. As the blacks were admitted the native whites deserted, and by the end of 1867 nearly the entire black population was brought under its influence and the order consisted solely of black members with white leaders. Several minor orders of blacks were absorbed into the League and it became the machine of the Radical Republican party in the South. In the North the League seems to have disintegrated after 1866, though New York remained headquarters for several years.

The methods employed by the Union League serve partly to explain why the negroes were voted solidly for one party in spite of attempts made by the white party to gain an influence over them, and why the races remained politically hostile after the League was disbanded. The strictest discipline was enforced, and personal injury, even death, was the penalty for voting a Democratic ticket. Night meetings, with impressive ceremonies and solemn oaths; parades and drills; promises of confiscation; threats of being returned to slavery; speeches by visiting agitators — all served to keep the blacks in line. Candidates for office were nominated by the League and no member could vote for a candidate not endorsed by the order.

The influence of unscrupulous white leaders in the League was responsible for much of the disorder created by the blacks. Insults, burnings, thefts, murder — all were blamed upon the League by the whites. The Ku Klux movement was in large degree caused by the fear of the influence of the League upon the blacks, and after 1869 the League gradually broke up before the attacks of the Klan. The local councils disbanded or became public political clubs. But the negro had received a

training which he did not soon forget, and the races were politically alienated. Aside from its political significance, the League is important as the first of the great negro secret societies and was a model for most of them. These societies are a most important and, on the whole, useful factor in negro life today.

REFERENCES

ORIGIN OF THE UNION LEAGUE: Bellows, *History of the Union League Club of New York; Chronicle of the Philadelphia Union League*; Fleming, *Civil War and Reconstruction in Alabama*, p. 553; Hamilton, *Reconstruction in North Carolina*, p. 61.

EXTENSION AND TRANSFORMATION: Eckenrode, *Virginia during Reconstruction*, p. 60; Fleming, p. 556; Lester and Wilson, *Ku Klux Klan*, pp. 68, 83.

ORGANIZATION AND METHODS: Avary, *Dixie after the War*, ch. 24; Brown, *Lower South in American History*, ch. 4; Eckenrode, pp. 61-63; Fleming, pp. 559-568; Garner, *Reconstruction in Mississippi*, p. 338; Herbert, *Solid South*, pp. 41, 332; Phelps, *Louisiana*, p. 366.

1. CONSTITUTIONAL DOCUMENTS OF THE UNION LEAGUE

Objects and Organization of the League

Constitution of the Union League of America. Extracts. [1867]

ARTICLE I. — NAME.

THIS organization shall be known as the "Union League of America."

ARTICLE II. — OBJECT.

The object of this organization shall be to preserve liberty and the Union of the United States of America; to maintain the Constitution thereof and the supremacy of the laws; to sustain the Government and assist in putting down its enemies; to protect, strengthen, and defend all loyal men, without regard to sect, condition, or race; and to elect honest and reliable Union men to all offices of profit or trust in National, State, and local government; and to secure equal civil and political rights to all men under the Government.

ARTICLE III. — ORGANIZATION.

This organization shall consist of a national council and one council for each State and Territory and for the District of Columbia, and of such subordinate councils as may by them be established, under regulations not inconsistent with this constitution.

The national council shall be composed of representatives elected by the several State, Territorial, and District councils, and shall have the general superintendence of the League.

The Union League Ritual

Ritual of the Union League of America. Extracts. [1867, 1870]

FORM OF COUNCIL, OFFICERS AND THEIR STATIONS.

THE officers of the Council of the U. L. A. are: A President, Vice President, Assistant Vice President, Treasurer, Sec-

retary, Marshal, Herald, Sentinel and Chaplain. The P. occupies the principal station in the room; V. P. and A. V. P., at the opposite end and in front of the P. T. at the left hand of P.; Sec. at the right hand of the P.; M. near the V. P.; H. within the inner door; S. within the outer door, and the Chaplain at the centre of the room, on the right.

EMBLEMS.

Altar, Holy Bible, Declaration of Independence; United States Constitution; Flag of the Union; Censer of Incense; Sword; Gavel; Ballot Box and Sickle; Shuttle; Anvil; and other emblems of industry. . .

OBJECT OF THE LEAGUE.

A. V. P. GENTLEMEN: I am directed to state to you the object of this organization. It is to preserve liberty, perpetuate the Union of the United States of America, maintain the supremacy of the laws and constitution thereof against enemies, foreign and domestic, to secure the ascendency of American institutions on this continent, to protect, defend and strengthen all loyal men and members of the Union League of America in all their rights of person and property, to demand the elevation and aid in the education of the labor and laboring men of the whole country, to make our councils for the prompt and proper instruction of all men in the duties of American citizenship, and for the inculcation of sentiments of true charity and brotherly affection among the members of our order. Having informed you of the purposes of our order, I now expect from you a promise of secrecy before proceeding farther. Have I your solemn pledge to keep secret whatever may transpire in your presence? Answer must be in the affirmative. To the questions now propounded you will answer upon your honor and under your pledge of secrecy. 1st. Do you fully subscribe to the principles set forth in the Declaration of Independence? Answer ———. 2d. Do you acknowledge that your first and highest allegiance under God is due to the government of the United States of America? Answer ———. 3rd. Are you willing to pledge yourself to resist to the utmost

extent of your power, all attempts to subvert or overthrow the government of the United States? Answer ———. 4th. Will you strive to the extent of your ability for the maintenance of liberty; the elevation of labor; the education in the responsibilities and duties of American citizenship of all the people of this country; the practice of a true friendship and charity towards each and all of the order of which you are about to become a member, and for the election or appointment to all places of public trust of such men only as are reliable supporters of these principles and measures? Answer ———. 5th. Are you willing, and do you desire to bind yourself by a solemn oath to the maintenance of the principles and policy indicated in the interrogatories to which you have now affirmatively replied? Answer ———. 6th. Do you pledge your honor that you will obey all rules and orders of the Union League of America which shall not conflict with your lawful rights and privileges as a loyal citizen, and keep inviolate all secrets and ceremonies of the league, when communicated to you as such? Answer ———. (Should the candidates answer all the foregoing questions in the affirmative, the A. V. P. shall report to the P. and C. as follows:) A. V. P. Mr. President, I have made the proper examination, and find all the candidates worthy and willing to proceed. (Unless the report is objected to by the Marshal or other person, the President will direct as follows:) P. The Marshal will conduct the candidates to our council. (The Marshal, coming to the door with candidates, makes the usual alarm.) H. Who comes under the private signal of our league? M. Candidates, who, having been duly elected and examined, desire admission to our loyal band. H. Mr. President, the Marshal announces candidates, who, having been duly elected and examined, desire admission to our loyal band. P. The loyal and worthy are always welcome. Admit them. (The door is opened, and candidates, preceded by the M., enter in double file, arm in arm, and passing around the altar are presented in front of the P's chair. As they enter the door the P. gives three raps with the gavel, which will call up the C. The President rising, the M. will

introduce the candidates by name. While the candidates are coming in and taking their places around the altar, the P. may direct the C. to sing a verse or more of some patriotic song, "Hail Columbia," "Star Spangled Banner," which may be printed on the cards for the C. By a signal from the P. the members take their seats during the delivery of the address.) M. Mr. Vice President, I have the pleasure of presenting these candidates for membership in our Union League.

ADDRESS.

V. P. Gentlemen (or Sir), We rejoice that you have come forward voluntarily to unite with us. The cause we advocate is that of our country. Banded together for the purpose of perpetuating the liberties for which our fathers fought we have sworn to protect them. In time of peril to our government and the Union, it became the sacred duty of all true patriots to unite their efforts for the preservation of constitutional freedom, and in thwarting the designs of traitors to destroy the tree of liberty, planted by our patriotic fathers, and watered by their blood. Neither domestic traitors nor foreign foes must be permitted to destroy this nation, nor to circumscribe the influence and progress of American institutions on this continent. The first grand purpose of our organization has been accomplished, through the combined efforts of our order and the gallantry and perseverance of our citizen soldiers, to whom our grateful acknowledgments and continued appreciation is ever due. The legitimate fruits of this triumph are yet to be secured in the complete ascendency of the true principles of popular government; the establishment of equal liberty; the elevation and education of the toiling masses of the republic; the preservation of the national honor and faith; the inculcation of a brotherly affection and true charity towards all; the complete and final overthrow at the ballot-box, as in the field, of the oligarchy of political leaders, who sought to ruin when they could not rule, and through whose errors and wrongs our country has been baptized in blood; the establishment here of an asylum for the distressed of other lands, and of a beacon light so prominent and enduring as to be seen by all nations for

[illegible] opened and the candidates preceded by the M., enter, [illegible] arm in arm, and passing around the Altar, are presented in front of the P.'s chair. As they enter the door the P. gives three raps of his gavel, which will call up the C. The P. rising, the M. will introduce the candidates each by name.

While the candidates are coming in and taking their places around the Altar, P. may direct the C. to sing a verse or more of some patriotic and appropriate Ode, as "The Flag of Our Union," "Rally Round the Flag, boys," "Hail Columbia," "Star Spangled Banner," &c., which may be printed on cards for the use of the C.

By signal from the P., the members take their seats during the delivery of the address. Perfect silence is enjoined upon them. Noise or whispering distracts the attention of the candidates.

M.—Mr. Vice President, I have the pleasure of presenting these candidates for membership in our Union League.

ADDRESS.

V. P. Gentlemen (or Sir): We rejoice that you have thus voluntarily come forward to unite with us. The cause we advocate is that of our country. Banded together for the purpose of perpetuating the liberties for which our fathers fought, we have sworn to protect them. In [illegible] of [illegible] Government and the Union, it became the sacred duty of all true patriots to unite their efforts for the preservation of Constitutional Freedom, and in thwarting the designs of traitors to destroy the tree of Liberty, planted by our patriot fathers and watered by their blood. Neither domestic traitors, nor foreign foes, must be permitted to destroy this nation, nor to circumscribe the influence and progress of American institutions on this continent.

The first grand purpose of our organization has been accomplished through the combined efforts of our order and the gallantry and perseverance of our citizen soldiers, to whom our grateful acknowledgements and continued appreciation are ever due. The legitimate fruits of this triumph are yet to be secured in the complete ascendancy of the true principles of popular government; the establishment of equal Liberty; the education and elevation of the toiling masses of the Republic; the preservation of the national honor and faith; the inculcation of a brotherly affection and true charity towards all; the complete and final overthrow at the ballot-box, as in the field of the oligarchy of political leaders, who sought to ruin when they could not rule, and through whose errors and wrongs our country has been baptized in blood; the establishment here of an asylum for the oppressed of other lands, and of a beacon-light so prominent and enduring as to be seen by all nations for all time, and so unerring as to guide all peoples to the certain possession of rational and true Liberty.

By means of this Loyal League these grand purposes may be realized.

We ask none to join us who have not the noble sentiment of patriotism deeply implanted in their hearts, for such only are capable of rising above the level of the mere partisan, and claiming and defending the boon of freedom for its intrinsic value. It is to sustain the Government and the principles and policy we have indicated, that we are united, and for this purpose you are now required to take a solemn

FACSIMILE OF PAGE FROM RITUAL OF THE ALABAMA UNION LEAGUE

[*From copy in possession of Dr. Thomas M. Owen, Montgomery, Ala.*]

all time, and so unerring as to guide all people to the certain possession of national and true liberty. By means of this Loyal League these grand purposes may be realized. We ask none of you to join us who have not the noble sentiment of patriotism deeply implanted in their hearts, for such only are capable of rising above the level of the mere partisan, and claiming and defending the boon of freedom from its intrinsic value. It is to sustain the government and the principles and policy we have indicated, that we are united, and for this purpose you are required to take a solemn obligation, which I assure you does not in any way conflict with the duties you owe to yourself, your country, your family or your God. With this assurance are you willing to take such an obligation? (Answer to be in the affirmative.) V. P. Candidates will please turn and approach the altar. (Here the P. calls up the C. in four raps, in couplets, and says:) P. The Chaplain will now invoke the blessing of Almighty God upon our undertakings. . .

(Here, after darkening the room, the M. lights the fire of liberty, to burn during the administration of the obligation; the members will be notified to join hands in a circle, around the candidates and the altar — the P. stepping within the circle. When there are more candidates than can reach the flag or Bible, they should be divided and obligated by sections. The P. then continues as follows:)

Now place your left hand on the national flag and raise your right toward heaven, repeating after me the following obligation:

OBLIGATION.

I, (repeat your name after mine,) do solemnly swear (or affirm) in the presence of God and these witnesses, that I will never voluntarily bear arms against the United States, while I am a citizen thereof; that I will support, protect and defend the constitution and the government of the United States and the flag thereof, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will also defend this State against any invasion, insurrection or rebellion, to the extent of my ability. This I freely pledge with-

out mental reservation or evasion. Furthermore that I will do all in my power to elect true and reliable Union men and supporters of the government, and none others, to all offices of profit or trust, from the lowest to the highest, in ward, town, county, State and General government. And should I ever be called to fill any office, I will faithfully carry out the objects and principles of this League. And further, that I will protect, aid and defend all worthy members of the U. L.; and that I will never make known in any way, to any person or persons not members of the U. L., any of the signs or passwords, proceedings, debates or plans of this or any other C. under this organization, except when engaged in admitting new members into this L. (Place your right hand upon the Holy Bible.) And with my hand upon the Holy Bible, Declaration of Independence and the constitution of the United States of America, under the seal of my sacred honor, I acknowledge myself firmly bound and pledged to the faithful performance of this my solemn obligation. So help me God. (Response by the members.)

TO THIS WE PLEDGE OURSELVES.

P. Gentlemen, around you is a band of brothers, alike sacredly pledged. This circle is never to be broken by treachery. (Response by the members:) "Never." P. Brothers, will you enlarge your circle to admit new members? (Response:) "We will." P. Prepare then for accessions to your ranks. P. With clasped and uplifted hands repeat after me the

FREEDMAN'S PLEDGE.

To defend and perpetuate freedom and the Union I pledge my life, my fortune and my sacred honor. So help me God. [Then follows a song. The members of the Council will now take their places before the Altar.]

"Loyal League Catechism"

Pamphlet copy, in Alabama Department of Archives and History. The document printed below was circulated in 1867-68 among the negroes of the South through the Union League, which conducted the "Republican Clubs" as training schools for the future voters. It was popularly known as the "Loyal League Catechism." [1867]

The Position of the Republican and Democratic Parties

A DIALOGUE BETWEEN A WHITE REPUBLICAN AND A COLORED CITIZEN, PUBLISHED BY THE UNION REPUBLICAN CONGRESSIONAL COMMITTEE, WASHINGTON, D. C.

The following is a dialogue between a newly enfranchised freedman and a sound Radical Republican. The new-made voter is seeking light upon the subject of his political duties and his Radical friend gives him plain facts, and demonstrates clearly with which party he and all like him should act. It would be well for colored voters generally to seek out some tried Radical friend and question him upon all subjects about which they have any doubt. The dialogue is submitted with the hope that the facts set forth therein will remove doubts from the minds of many who have been unable to receive proper information upon the position in which they should stand at this time:

The Dialogue.

QUESTION. With what party should the colored man vote?

ANSWER. The Union Republican party.

Q. Why should the colored man vote with that party?

A. Because that party has made him free and given him the right to vote.

Q. Was Mr. Lincoln a Republican?

A. He was a Republican President.

Q. Are all the Republicans in favor of universal freedom?

A. They are.

Q. What is the difference between Radicals and Republicans?

A. There is none. The word Radical was applied to the Republican party by its enemies, and has been accepted by it.

Q. The Radicals and Republicans are then one and the same party?

A. They are, and they are all in favor of freedom and universal justice.

Q. What is the meaning of the word Radical as applied to political parties and politicians?

A. It means one who is in favor of going to the root of things; who is thoroughly in earnest; who desires that slavery should be *abolished,* that every disability connected therewith should be *obliterated,* not only from the national laws but from those of every State in the Union.

Q. Is Mr. Sumner a Republican?

A. He is, and a Radical, so are Thad. Stevens, Senator Wilson, Judge Kelley, Gen. Butler, Speaker Colfax, Chief Justice Chase, and all other men who favor giving colored men their rights.

Q. To which party do the friends of the colored men in Congress belong?

A. To the Republican Party.

Q. What is a Democrat?

A. A member of that party which before the rebellion sustained every legislative act demanded by the slaveholders, such as the Fugitive Slave Law, and the attempt made to force slavery upon the Western Territories.

Q. What was the position of the Democratic Party during the war?

A. It opposed the war; declared Mr. Lincoln's management of it a failure; resisted every measure in Congress looking to emancipation, and denounced the Government for arming colored men as soldiers.

Q. What has that party done since the surrender of the rebels?

A. It has sustained Mr. Johnson in his efforts to restore your old masters to power in the country, and opposed every act for your benefit which the Republican Congress has adopted.

Q. Is it known by any other name?

A. It is known as Conservative, Copperhead and rebel. Under each name it is still the same enemy of freedom and the rights of man.

Q. Would the Democrats make slaves of the colored people again if they could?

A. It is fair to presume they would, for they have opposed their freedom by every means in their power, and have always labored to extend slavery.

Q. Would Democrats allow colored men to vote?

A. No! They have always opposed it in Congress and in the various State Legislatures.

Q. Who abolished slavery in the District of Columbia?

A. A Republican Congress and Abraham Lincoln, a Republican President.

Q. Who freed the slaves of the South?

A. Abraham Lincoln, the Republican President, by proclamation.

Q. Who passed the Freedman's Bureau Bill?

A. A Republican Congress by more than a two-thirds vote over the veto of Andrew Johnson, the leader of the Democratic or conservative party.

Q. Who gave us the Civil Rights Bill?

A. The same Republican Congress.

Q. What party gave us the right to vote?

A. The Republican party.

Q. What has the Democratic, Conservative or Copperhead party ever done for the colored people?

A. It has tried to keep them in slavery, and opposed giving them the benefit of the Freedman's Bureau and Civil Rights Bills, and the right to vote.

Q. Why cannot colored men support the Democratic party?

A. Because that party would disfranchise them, and, if possible, return them to slavery and certainly keep them in an inferior position before the law.

Q. With whom do the disloyal white men of the South desire the colored men to vote?

A. With the Democratic party.

Q. Would not the Democrats take away all the negro's rights?

A. They would.

Q. Then why do they pretend to be the best friends of the colored men?

A. Because they contend that they are fitted only for slavery, or an inferior position, and are happier in either condition.

Q. How would it suit them to be served in the same manner?

A. They would not endure it. They call themselves a superior race of beings, and claim they are born your rulers.

Q. Why do they not do unto others as they would be done by?

A. Because they are devoid of principle, and destitute of all sense of justice where the colored man is concerned.

Q. Do all white people belong to a party which would treat us in that way?

A. They do not. There are many who have stood up nobly for your rights, and who will aid you to the end; indeed, all the Republicans are such.

Q. To what party do the people of the South belong?

A. The larger portion belong to the Democratic party.

Q. Are the slave holders and the leaders of the rebellion members of that party?

A. They are, and would not regard you as having any right if they were in power.

Q. The colored men should then vote with the Republican or Radical Party?

A. They should, and shun the Democratic party as they would the overseer's lash and the auction block.

Q. Has the Republican party ever deceived the colored people?

A. It has not. While the Democratic party has always been opposed to their freedom, their education, and their right to vote, the Republican party has always been their friend.

Q. To what party do the leading colored men belong?

A. Without exception they belong to the Republican party.

Q. What are the most prominent principles advocated by the Republican party?

A. Equal rights before the law and at the ballot box for all men without regard to race or color; that is, that every man shall have the same rights and liberties as any other man.

Q. Does not the Military Reconstruction Act secure to us these rights?

A. Yes, but you may yet be deprived of them if your enemies get into power.

Q. What would the people think if the colored men voted with the Democratic party?

A. The people of the North would think that they did not fully understand their own rights nor the duties devolving on them; and the people of the South would proudly say, "We have always told you that the negro did not wish to be free."

Q. What use has been made of the money which the colored people of the Southern States have paid as taxes?

A. It has been used to establish schools for *white* children; to pay the expenses of making and executing laws in which the colored men have had no voice, and in endeavoring to have the Supreme Court set aside the law which gives you the right to vote.

Q. What! are the Democrats using my own money to take away my rights?

A. They have always done so, and will continue to while they remain in power.

Q. Can this be right?

A. It can not, but it is what you have always received, and such treatment as you will continue to receive from the Democratic party.

Q. Some people say if we vote against the whites of the South it will make them our enemies and we will be destroyed. Is it so?

A. This will not be the case, because they will try to befriend you to secure your vote.

Q. But they say we will be discharged from work if we dare vote the Republican ticket. Will they do that?

A. You should remember that your labor is worth just as much to the man who employs you as his money is to you.

Q. You would advise us then to disregard these threats and vote with the Republican party?

A. Most certainly I would. Had you not rather suffer, or even starve to death, than to aid a party to re-enslave you? Remember your former condition and avoid a return to chains and slavery. "Give me liberty or give me death."

Q. The white people South say the Republicans of the North do not care for the colored men only so far as they can use them to continue in political power. Is that true?

A. It is not.

Q. What is the reason that several of the Northern States do not give us the right to vote?

A. Chiefly because they have in the past been controlled by the Democratic party. In the Western States where what are called the "Black Laws," exist, which forbid colored people to live there, there are large bodies of whites who moved originally from the slave States, and carried the hatred and prejudices of slavery with them.

Q. What has the Republican party done in these States about such laws?

A. Tried to abolish them as fast as it gained power. It publicly advocates their repeal.

Q. Well, I am satisfied. You have clearly shown me my duty and I shall impart the information to my people.

A. Let me say to you further, that the Democratic party will use all means to get the colored people to put it in power again, but you must remember what has been its past record, and see to it that you do not trust it in the future. In order that you may work to the best advantage for the success of the party which has been and still is your true friend, you should have an organization, or association, where you can bring together your people, and such white men as belong to the Republican party. You want to be so organized that you will act as one man, lest your enemy gain the victory. You should organize Union Leagues and Republican Clubs. Here is a constitution for a Union Republican Club. You can take this and call together some of your Republican friends, have them sign

it, and elect the officers provided therein. Then hold a meeting once in each week, talk these matters over, read newspapers and documents to those who cannot read, and take such measures as will result in conveying to every colored man the correct view of his duties at this time. This is the Constitution of which I speak: [Then follows a constitution for a political club.]

2. ORDERS SIMILAR TO THE LEAGUE

The Lincoln Brotherhood

John Wallace, (colored), *Carpet Bag Rule in Florida (1885)*, p. 42. The Lincoln Brotherhood, in Florida, was conducted by one clique of carpetbaggers while the Union League was run by another clique. Later the two orders united. [1866-1868]

THOMAS W. OSBORN, the Commissioner of the Bureau for Florida, stationed at Tallahassee, . . requested a meeting of three or four of the most influential colored men at the house of a colored man. . . He met them there and informed them that it was the desire of the government that they should form a secret league to prevent their being again returned to slavery. This was sufficient to bring out the old and the young, the halt and the blind. In order to deceive and allay any apprehension in regard to the purpose of the gathering, they were instructed to answer any question by saying that the assembly was for the purpose of forming a benevolent society. At the appointed time several hundred freedmen assembled, but only seventy-five or eighty were initiated the first night, as it was deemed wise to impress them with an air of deep solemnity and great formality.

In order to work the negro with greater facility in the interest of Osborn and his gang, this secret league was named the Lincoln Brotherhood, and T. W. Osborn made himself its president, and he became the grand head-center of all the leagues and subordinate lodges subsequently formed throughout the county and State. Each member had to pay an initiation fee of from one to two dollars, and fifty cents per month thereafter. . . The freedmen considered this league a great thing, and their meetings at the church were carefully guarded by armed sentinels, who halted anyone who came into the vicinity of the church, requiring the countersign under penalty of the contents of the old musket. Auxiliary lodges were formed in every part of the country and throughout the State. The regular meetings of these lodges were held every Thursday night, in the most secret places to be secured. One who was

ignorant of the purposes of these assemblies would be led to believe that the freedmen were preparing to massacre all the white inhabitants of the country. The rattling of the swords and handling of the muskets seemed to be the pride of these men. Many of them believed that the joining of the league made them brothers of the martyred Lincoln.

The Red Strings and the Union League

Outrages in the Southern States (North Carolina, 1871), part i, p. 199. Statement of B. F. Moore, a North Carolina Unionist. [1863-1871]

THERE was an organization at the close of the war, which has existed since, called the Heroes of America, or the Red Strings. I became acquainted with it just at the close of the war, when some of the members were apprehended as being inimical to the confederacy and as having entered into a secret conspiracy to overthrow it. . . They applied to me as a Union man for the purpose of getting them discharged from arrest. In that way I became acquainted with their organization and their oaths. The only objection I saw to any portion of their oath was, they swore to come to each other's aid in distress. . . That organization continued some time after the war, as I understood. . .

The next organization of which I have any knowledge was that of the Union League, which arose immediately after the colored people got power. . . The avowed object of that was that they should all act in unison, and they have carried it out very faithfully. I have never seen a more compact league than that has been. . .

Governor Holden was at the head of it.

3. METHODS AND INFLUENCE OF THE UNION LEAGUE

Methods of the League

Ku Klux Report, North Carolina testimony, (1871), pp. 246-251. Testimony of a Conservative lawyer in North Carolina. [1867-1871]

THIS danger to property arises from these Loyal Leagues. There have been a great many lawless acts committed by the Loyal Leagues, . . the burning of barns, the destruction of cattle, horses and mules. . .

[The Leagues] are chiefly composed of negroes and low white people. In the county adjoining the one in which I live, . . within the last eighteen months, there have been a great many outrages committed — burning of barns and dwelling-houses. . . Those persons who had been arrested said that their directions to burn them had come from the city of Raleigh, from the chief leader in Raleigh. . . [The League] is governed in the most remarkable manner, controlled from one end of the State . . to the other. . . At our last congressional election a candidate was run on that side whose name had not been mentioned previous to the day of the election, that I had heard, or that had been heard by a great many others, yet there was an almost unanimous vote throughout the whole district for that person . . on the part of the Radical party, or the League. . .

Several gentlemen told me that they were in danger of their lives; that they were informed by some of the League-men that they were to be killed; that they were to be hanged; and the manner in which it was to be done was detailed; . . that there were several men who were to be punished, just about the election or before the election. . .

If there had been no Loyal League in North Carolina, there would have been no Ku-Klux, or clubbing together of the white people there. . . Still the negroes operate upon each other, so that one dare not depart from the ranks; they are arrayed yet in a solid phalanx.

Teachings of the League in North Carolina

Ku Klux Report, North Carolina testimony, pp. 309-312. Statement of a Conservative. [1866-1871]

THE colored people of North Carolina . . have, since the passage of the reconstruction measures of Congress, been taught to believe by the leading members of the Leagues that the white men of that country are their enemies; that their only friends are the northern men, and those who have gone with the northern men in giving them suffrage, etc.; that it is the desire and deliberate purpose of the white people . . to restore slavery at the earliest possible moment. The negroes themselves say that they have been taught to believe (they have told me so), that such is the purpose of the white people of the Southern country. As a matter of course the negroes are ignorant and superstitious. They are taught to believe that the armies of the United States emancipated them, that the Government of the United States was their only protector, that the Southern people were their enemies. . . They have been alienated in that way from the white people, and remain so to a great extent, though a large number of them are willing to believe that the representations that have been made to them in regard to the restoration of slavery in the Southern States are false. . .

About the time the Leagues were being organized, or rather reorganized, in that country, the influence of these men was very bad indeed. As I stated awhile ago, the negroes were made to believe that the white people were their enemies; that they were seeking the first opportunity to put the negroes back into slavery. That is being told to the negroes even to this day [1871] by a number of men. In fact it is the chief stock in trade of a number of men in that section of the country. A great many honest men, even on the Republican side, say there is no danger; but others . . tell the negroes that there is. The negroes at one time expected the confiscation of the property of the Southern people. . . They were so told. I have myself heard several negroes say that they were told that the lands of the Southern people would be confiscated, and that

they were promised lands, horses, etc. — forty acres in real estate for each negro, . . and a horse or a mule. Some of the negroes of my county say that the chief man of the Leagues in 1867 and 1868 — Mr. Elliott, who has since died — boldly stated in the League meetings that such would be the policy adopted. . .

I know instances in which their advice has led to riots and bloodshed on the same day they have held their public meetings. It was so in one case in my own village. Mr. Justice came to my town in 1868 . . [and addressed] some five hundred negro hearers, in a very excited manner, telling them that the white people were their enemies; that they should believe nothing said to them by the southern people generally; that they were only seeking to put the negroes back into slavery and would do it as soon as they got control of the State Government. . . Mr. Justice said afterward that he did not advise riot at all; but the manner in which such men have addressed these ignorant, superstitious people has caused them to commit many acts of violence that they would not otherwise have done. . .

The negroes in my county had three places where they were meeting at night and drilling. One place was their League-house. They were stationing their sentinels on the highways . . and were halting white people on the roads, and . . not allowing them to go by. In the extreme northern part of my county where the Republican vote is strongest . . the negroes had another place of meeting; in the town of Shelby, in which I live, they had a place where they were meeting and drilling at night. The people were alarmed. . . They did not know with what object the negroes were meeting and carrying on these operations. They thought that the lessons which the negroes were being taught in the League were leading them on.

Union League Influence in Elections

Ku Klux Report, Alabama testimony, pp. 227-233. Statement of Gen. James H. Clanton, Conservative. [1871]

THEY were all armed. They had half a dozen League rooms

. . in our city — several at least — and they were under the control of very bad men — adventurers. A great many had got hold of muskets, and had organized in companies and battalions. This was another reason urged for [the whites] not going to the polls, that it might lead to a war of races. The election [1868] came on. The white people did not go to the polls. . . But the negroes marched to the polls by battalions, armed with muskets and stepping to the beat of drums. They stacked their arms around the polls, some standing guard. There was great confusion, and in the evening, in Montgomery, they got on the rampage and commenced firing their guns, the balls whistling through the houses and lots. They continued it in the night until Colonel Crittenden, the Federal commander, being afraid of the results, disarmed them as far as he could reach them. But many remained in the outskirts of the town firing their guns. The balls flew around my house pretty thickly. . .

The Loyal Leagues and their counselors resort to all sorts of devices, according to circumstances. For instance, they have commenced the campaign [1871] in Montgomery for the election of sheriff and tax collector in November next. Last week I was informed that Sheriff Barber and Mr. Coffin — both republicans — went out to a negro-baptizing about five miles from town, took a bottle of whisky, let the negroes drink first, and then they drank. They go around to all the negro picnics cultivating the negro. They have them at their houses, and they have music. . . The wife of one of them performs on the piano for political effect, it is said. The prospective candidate dines them at his house, and they resort to secret councils.

Barn Burning by the Union Club

Outrages in the Southern States (North Carolina, 1871), part ii, pp. 41, 43. Testimony of negro members of the Union League. [1871]

I AM a member of a club to meet the Ku-Klux; . . I joined last spring; I joined at Jim Howell's; he called all of us together to hear Governor W. W. Holden's orders; I went to Jim Howell's; . . he had called in all black in the neighbor-

hood. When the crowd got there, he got out the orders and read them. The orders was for us all to join together in a club called the Union Club. . . They were talking of burning Mr. Calvin Branch's barn. We met there a night afterwards, and the orders was read that we received from Governor Holden; . . We were sworn in the first night we met, and they elected me captain. When the orders was read, I told them I would resign, and have my name scratched off. The order was for us to attack the Ku-Klux, and burn out all we thought was Ku-Klux. Then Jim Howell read over Jo. Norris's name, at the head of the list, and some other white man; don't recollect what this name was; do not know who was along when Mr. Branch's barn was burned. Rufus Howell, [and others] burnt Mr. Jesse Burt's dwelling house; . . If any man told the secret about this company they were to be killed and put out of the way, and nobody to say anything about it. That was in the orders of Governor Holden. We were to give signs to know one another with our three fingers, by touching our breast, elbow and thumb. There was five words also given us, which was, Lincoln, Liberty, Loyal, Union, League. To the best of my knowledge, them was the words that was read out of a little blue-back book. Charles Adkins told me they were going to fire Thomas Luther's barn, and told Jeff Mims to take his wheat out if he had any in it, as it was going to be the next barn that was burned. . .

There is a company formed for the purpose of burning and shooting called the Red Cow-Lick. I am a member of that Company. I joined last October was a year ago. I went down to Jim Howell's to go in. There was present at that meeting Joe Dennis, Brittain Beckwith, Wilson Dewer, Sam Clemons, Jim Howell, and his two sons, Rufus and Henry. Wilson Dewer was captain, Jim Howell was secretary, Sam Clemons was orderly. Jim Howell took in our names and swore us in. Do not recollect the oath, but we took one that we would all club together as one, to burn barns, and to shoot in neighborhoods where there was any Ku-Klux. If we told anything about it, the password, or anything about whose barn

was burnt, the rest of the company would kill us. There is a great many who belong to the crowd.

The Union Leaguers and the Courts

Outrages in the Southern States (North Carolina, 1871), part i, p. 368. Testimony of Josiah Turner, formerly member of the Confederate Congress, later Republican. [1871]

In Wilson County a negro, who voted the democratic ticket, was taken out of his house and whipped; they gave him two or three hundred lashes. . . [This was done] by the Leaguers; and when the attorney for the prosecution, Mr. Dorsch, proposed to prove that it was by order of the League, the judge ruled it out as irrelevant. He offered to prove that it was by order of the League that this negro was taken out of his house and whipped. They were indicted and sentenced to thirty and sixty days imprisonment; but Governor Holden, who at the time was president of the League, pardoned them in a very few days. Then there was another instance, Major Tappan, who is a carpet-bagger and lives at Brattleboro, issued an order, as president of this League, to bring a negro of Nash County before the council of the League. He was brought there and after keeping him for some time, part of a day and night, in great terror, they resolved to refer the matter to the Governor, who was the president of the League. Major Tappan was indicted in Edgcombe County, the county where he issued the order, and where the League met; and he was sentenced to six months' imprisonment. The negroes who lived in the adjoining counties, a mile or two off, and who arrested this negro by order of the president of the League, were indicted in Nash County, and put in jail for some length of time. . . And the president of the League who issued the order for his arrest, and the negroes who arrested him, were convicted and sentenced. But the commander of the district . . sent soldiers with bayonets to open the jail and let out the major; and then the major got an order to let out the negroes who had been sentenced; so that the punishment was not inflicted. They were sentenced, though, and were in jail, all of them; but the commander released them.

. . In Wake County there has been great disturbance, house-burning and barn-burning. One witness was shot, and when he was *in extremis* he made a confession upon the subject. He said they had met at the house of a colored man, a preacher, and had resolved to burn so many barns; Mr. Branch's barn among the rest. They appointed a committee, so that in case any one should come out to extinguish the flames they would fire on him. Two or three of them turned State's evidence, and one of them stated before the magistrate that the meeting was first called at this negro's house by order of Governor Holden, though the governor was not at the meeting, and that they were resolved to burn so many houses and so many barns, and detailed men to shoot at parties while the fire was going on, if they came to extinguish it. Branch's barn was set on fire, and when he discovered the flames he ran out to it, and he was fired upon some twelve or fifteen times.

A Negro's Opinion of the Union League

John Wallace, *Carpet Bag Rule in Florida* [1885], p. 46. Wallace, it appears, belonged to the Union League and also to the Lincoln Brotherhood. [1866-1868]

THE freedmen were required to join the Loyal League of America. A new application had to be made, another five dollars initiation fee had to be paid, with a monthly due of not less than ten cents, or whatever the President should require. In the Grand Council at Tallahassee, or at the office of Richards and Saunders, whenever an influential freedman applied for initiation, and they thought he could raise the money, they would charge him fifteen or twenty dollars to become a member of the league. Charters for the organizations cost five dollars, and whenever the deputies could succeed in wringing it out of the people, they would charge them a greater sum. These fees were divided with the President of the League in Tallahassee, William M. Saunders, who constituted himself the Grand Council; and whenever he could make the deputies come up with the cash he would pocket the money. Grips, signs and passwords were given to the freedmen in these lodges, and they were told that they had

received something beyond the reach and conception of their former masters, which led them to believe their late masters had no rights that they were bound to respect. This nefarious teaching made many of them very obnoxious and overbearing members of society. Thousands of dollars were wrung from the hands of our people by these devices. They were assured in these league meetings that the lands and all the property of their former masters would be equally divided among the former slaves, which led many to indolence. They were further instructed that the oath which they had taken in the League was of such a nature that they could not vote for any Southern white man for office; that to do so would cause their return into slavery. To rivet these teachings upon their consciences, violent speeches would be made in the lodge-rooms, and often in public, in denunciation of their former masters, who, in turn, had their hands full to explain and satisfy our misguided people, the best they could, that the men who were organizing them into secret lodges were mere demagogues for the sake of office and their worst enemies. This argument set some of our people to thinking, and but for this and the influence of the more sensible of the colored people, the property of the country would have in many instances been destroyed by the midnight torch. . . There is no disputing the fact that the fears of the whites with reference to these leagues were well founded; for the men who controlled them had really nothing in view but public plunder.

VIII

CARPETBAG AND NEGRO RULE

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CARPETBAG AND NEGRO RULE

INTRODUCTION

THE best known facts of Reconstruction are those which relate to the bad government of the period — the ignorant and corrupt officials, public frauds, corruption in politics, Federal support of objectionable administrations in the South, etc. Most of the comment upon the Reconstruction governments has been unfavorable, since all of them failed to give administrations that would justify their existence. Their failure was due mainly to the inefficient and corrupt ruling class placed in power by the Reconstruction Acts. The leading whites were disfranchised by the Johnson plan and this disfranchisement was continued and extended by the Reconstruction Acts, the new State constitutions, and the Fourteenth Amendment. In most of the states the Conservative whites were thus left in a minority and, being without leaders, were of little influence in the government. The new ruling party was composed of three distinct divisions — a small number of whites from the North, a small number of native whites, and almost the entire negro voting population. Circumstances were not favorable to public virtue, and the state and local governments suffered. The best of rulers would have had great difficulty in meeting the problems of the time. These weak and corrupt rulers failed in nearly every respect; their history is a history of fraud. This was not necessarily due to negro suffrage, but to the leaders in control of the negroes. The Conservative whites had found and continued to find it impossible to influence the politics of the blacks; the latter were firmly under the control of

Radical whites — northern and southern. There is no indication that any of these leaders thought of making any other than corruptly selfish uses of the support so freely and innocently given by the freedmen. The governments were no more for the good of the blacks than for the good of the Conservative whites — in fact the blacks were the more injured.

The most extensive public stealings were in Louisiana, South Carolina, Tennessee, Arkansas, and Alabama. Georgia, Mississippi, Texas, and North Carolina suffered less. Railroad and bond swindles were etxensive in all the Southern states except in Mississippi where the constitution forbade bond issues. In every state the counties and towns in the black districts were plundered and left with heavy debts. The organization of the negro militia which caused so much trouble, took place only in North and South Carolina, Florida, Mississippi, Louisiana, and Arkansas. In North Carolina, Tennessee, and Arkansas the Radical white militia proved to be more objectionable than the black.

After the beginning of the Reconstruction in 1868, their history is divided into four periods by the following dates: (1) 1870, which marks the close of the greatest activity of the Ku Klux organizations and the escape of Tennessee, Georgia, and North Carolina from Radical rule; (2) 1872, which marks the failure of a series of attempts at reform by the best elements in the Radical party in the Southern states, leaving the worst element in firm control, the extension of Federal control in the South under the Enforcement Acts, and the growth of sentiment in the North against the misgovernment in the South; (3) 1874, which saw the whites regain control in Alabama, Arkansas and Texas, and (a year later) Mississippi; (4) 1876, the year of final overthrow of Radical rule in the South, the

restoration of Louisiana, Florida, and South Carolina to the whites and the withdrawal of Federal troops.

But for outside influences these changes would have taken place earlier. Within the Radical ranks, after 1868, there were indications of divisions which the Conservatives uniformly encouraged and assisted. The negro vote was almost solid but was led by the carpetbaggers; the scalawags were often left out when the spoils were divided, and besides they had never been sympathetic with the negro. There were a few troublesome reformers among carpetbaggers, scalawags and negroes who were disposed to unite with the Conservatives in order to bring about better government; later the negro leaders began to demand a larger share of the offices because their race furnished most of the votes; and lastly with the decay of party discipline independent candidates — formerly Radicals — became numerous, thus dividing the negro vote. But for years these causes of weakness were kept under control by strict party discipline, by the activities of the highly centralized state governments which placed all political power and patronage in the hands of the governors, and by the favor of the Federal government.

The Washington authorities freely gave support to the carpetbag and negro governments and in case of division invariably gave assistance to the more Radical faction. This support took the form of patronage, and Federal troops and deputy marshals to uphold officials and influence elections; President Grant and Attorney General Williams, both frankly radical in sympathies, settled the question of disputed elections and dual governments in several of the states — Alabama, 1872; Arkansas, 1872, 1874; Louisiana, 1872, 1873, 1874, 1875. From the beginning to the end the support of the Federal authority was necessary to prevent the downfall of the Reconstruc-

tion governments. To provide for this assistance the Enforcement Acts were passed and for a while the policy was successful, but it failed at last because of the inherent weakness of the carpetbag-scalawag-negro governments, and the Southern states gradually passed into the control of the whites.

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1. THE NEW RULING CLASS AND THEIR ADMINISTRATION

Governor Warmoth of Louisiana

House Report no. 92, 42 Cong., 2 Sess., p. 24. Report of Messrs. Speer and Archer of the Congressional Investigating Committee. [1872]

He is a native of Illinois; entered the Army from Missouri a democrat; had trouble with General Grant after the battle of Vicksburgh; was charged with circulating exaggerated reports of the Union losses there; was dismissed the service by Grant, and was restored to his command by President Lincoln, his dismissal having been unjust, and procured through questionable motives. He retired from the army in 1865; went to Texas; was indicted there for embezzlement and appropriating Government cotton. Carter acted as his attorney; but when the case was called no prosecutor appeared, and the prosecution was abandoned. He returned to New Orleans, and before the reconstruction of Louisiana he was elected [by the negroes] a delegate to Congress, each voter depositing with his ballot fifty cents to defray Warmoth's expenses to Washington. He had been governor four years, at an annual salary of $8,000, and he testifies he made far more than $100,000 the first year, and he is now estimated to be worth from $500,000 to $1,000,000. . .

His is not the only illustration of the profitableness of Louisiana politics. One of his appointees, a tax-collector in New Orleans, receives in fees and commissions over $60,000 a year.

The Carpetbag Governor of Arkansas

Courier-Journal, January 25, 1869, in Harrell, *Brooks and Baxter War*, p. 69. Clayton was governor of Arkansas from 1868 to 1872. [1869]

During the rebellion, Clayton commanded a brigade of the best cavalry in the Union service, and commanded with vigor. After the peace, he tried conservatism; found it unsuited to his

purpose; plunged into radicalism, and now openly declares *his purpose to depopulate* the State and repeople it with loyal negroes. Tranquillity would be fatal to his plan. The distance between him and Washington; the friendliness of the Government; the ease with which his acts may be concealed, and the acts of the people misrepresented, make him bold and careless. He knows his game. He has studied the ground. And he will not fail. . .

Old party differences have nothing to do with the matter. The term "rebel" is only used as a pretext. One of Governor Clayton's agents is a rebel bushwhacker whom I captured and tried by a drum-head court-martial in 1864. He escaped *my* halter to become the surer prey of my superior officer, whose confidential friend he is now, and has been for months. The very meanest cut-throat in all the militia was a [Confederate] private in Terry's body-guard and afterwards a scout for Wharton and Harrison! . .

I do not say the people are unoffending. They resist as desperate men only can resist. But if they *did not,* it would be all the same. Clayton's policy is extermination. Nothing can divert him. He is not a milk-sop, but a man of genius, and the field is fruitful. All that he has to do is to pass his scythe over the land, and reap a full harvest of *blood*, which is the *cement of his power.*

The Governor of Florida

Wallace, *Carpet Bag Rule in Florida*, p. 334. Stearns was governor of Florida 1874-1876, and was renominated in 1876. [1876]

On the other hand, the Republicans witnessed the spectacle of their candidate for Governor [Marcellus L. Stearns] being charged with stealing the meat and flour given by the government as a charitable contribution to helpless men, women and children, who had just emerged from two hundred years of slavery, many of whom were clad in rags;[1] the second man on their ticket, Daniel Montgomery, publicly charged with arson;

1. Stearns, as agent of the Freedmen's Bureau, sold the supplies that should have been given to the blacks.

the third man on the ticket, W. J. Purman, burdened with the crime of causing the slaughter of the innocent victims of the Jackson county troubles; and the fourth man on the ticket, Col. Horatio Bisbee, having arrested Democratic members of the Legislature on trumped up charges, in order to give the carpet-baggers a majority, and further, with attempting through the agency of Stearns of attempting to fasten the illegal four millions of bonds upon the State. The Colonel had for several years been United States District Attorney, during which time these acts were committed.

High Price for a Governor

Report on Public Frauds in South Carolina, p. 317. Moses was speaker of the House 1868-1872, and Governor 1872-1874. Besides this bribe he testified that he received when speaker $25,000 at one time and $15,000 at another, besides smaller sums and "divisions." He was a scalawag. [1873]

Columbia, S. C., October 16, 1877.

PERSONALLY appeared F. J. Moses, who, on oath, deposes and says:

When, as Governor, I approved the large printing bill for the Republican Printing Company, during the session of 1872-73, I received from Mr. Woodruff the sum of fifteen thousand dollars, I think. The money was paid in a check drawn by LeGrand Benedict in favor of Hardy Solomon, and the sum of money was turned over to Messrs. Seibels & Ezell as the first payment on the purchase of the Preston mansion.

South Carolina Supreme Court

Report on Public Frauds in South Carolina, p. 296. Extracts from the diary of Woodruff, clerk of the State Senate. Judge Wright was a Massachusetts negro. Except in Arkansas, Louisiana, and South Carolina the Supreme Courts were fairly decent bodies. [1874]

Thursday, July 2, 1874.

SAW Wright. He wanted me to raise him $2,500, and said he would give me the decision by 6 o'clock if I would get that amount for him. He suggested I should try ex-Governor Scott, but it was no go. Scott said he did not want the *man-*

damus unless it could be issued for legislative expenses as well as for Frazee, Rose and the printing company. Went back and told Judge Wright so. Wright asked me to telegraph for Jones, and I did so, but failed to bring him. Very much troubled about *mandamus*.

Friday, July 3, 1874.

Met Judge Wright again to-day, and told him I was unable to raise the money. He urged me to another trial. Found it was nothing but a strike of the Judge to get money in advance of the decision, but if the Judge can't trust us we ought not to trust him. Cardozo thought it was a monstrous thing for a Court to act so, but it's hard to beat such a monstrosity as Cardozo. I believe he is in concert with Wright to get our money and then file an opinion against us. Governor Moses wanted $50 for 4th July, but I could not raise it for him.

Tuesday, July 7, 1874.

Met Judge Wright in street car to-day and had a short interview. Could not give him any assurance of money. Feel indifferent as to whether *mandamus* is granted or not.

Thursday, July 9, 1874.

Met Judge Wright this morning. He said he had the decision in his pocket and would let me have it on my giving him the money. Told him I was not able to make the ripple. He thought if I went to Columbia it might be done. There may be some game up, and if so I must try to steer clear. I know Cardozo wants, or appears to want, to catch Judge Wright. He will not do it with my assistance.

County Officers in Mississippi

Nordhoff, *Cotton States*, p. 75. [1875]

THE Ames Republicans [in Mississippi] have unscrupulously used the ignorance and greed of the negroes to help them in their political schemes. Controlling the negro vote and using it as a solid mass, they have put into such offices as county supervisors and treasurers, as well as into the Legislature, ne-

groes who were often not only unable to read and write, but who were notoriously corrupt and corrupting demagogues. For instance, the late treasurer of Hinds county, in which the State capital lies, was a negro who could neither read nor write, and who was killed by another negro a few weeks ago for a disgraceful intrigue. In the last Legislature were several negroes who could neither read nor write. It has happened that the members of a grand jury were totally illiterate. A city government was to be elected last August in Vicksburg, and the Republicans nominated for mayor a white man at the time under indictment for twenty-three offenses, and for aldermen, seven colored men, most of them of low character, and one white man who could neither read nor write, the keeper of a low groggery. . . Of the present supervisors of Warren county (Vicksburg), the president and two others cannot read. It is a notorious fact that Governor Ames has appointed to judicial places men ignorant of law, and that he has used his appointing power to shield criminals, who were his adherents, and to corrupt the judiciary of the State.

Justices of the Peace in North Carolina

Outrages in the Southern States, part ii, p. 17. Statement of B. F. Moore, Unionist, Republican. [1871]

A LARGE portion of the gentlemen of North Carolina who had been in office in former times, who had taken just such a part in the rebellion, against their will and wishes, as to make them obnoxious to the provisions of reconstruction, were kept out of office. There is nothing . . that tends more to the security of life and property than the respectability of subordinate magistrates. . . A great many of the new appointments were of men of known bad character, men convicted of theft, or accused and believed to have been guilty of theft, and men who could not read or write. Why, sir, precepts have been brought to me issued by justices who were not able to sign their names, but who made their mark. Justices who tried important cases, involving misdemeanors for which the parties might be sent to

jail, could not write, and had to make their mark for their signature.

Complaint of a "poor, persecuted Unionist"

Ku Klux Report, Alabama testimony, p. 1832. Statement of Samuel A. Hale, brother of John P. Hale, of New Hampshire. Such men were gradually driven over to the Democrats. [1867-1868]

THEIR election was the most ridiculous farce ever beheld. I wish you could have seen the poor, ignorant blacks giving in their "bits of paper," as they called their printed ballots, when they knew no more of the names on them, who they were, what they were, than you did at the same time in your far-off home. . . In all the elections ever held in the United States, there has not been so much fraud committed as there was in this one. [1867]. The negroes think they have been greatly wronged because they have not been paid for voting. Of the three delegates sent from this county, two were white and one was black. The two whites were strangers here. . . One of them, called Rolfe, is said to be a vagrant from the State of New York, where it is said he has a wife and family living, whom he has not seen in four or five years. . . He had been here some three or four months prior to his election as a delegate, sometimes working as a carriage trimmer, sometimes drinking whisky and making drunken exhibitions of himself upon our streets. . . Of the other white delegate, called Yordy, . . I had never heard of him until the day of his nomination. Neither of them ought ever to have been thought of for the responsible station to which they were elected. Nor would they have been thought of had the nomination of delegates been left to the white Union party of the county. It did not, however, suit the purposes of the military power that now so insolently tramples upon the people of this State to leave the nomination of delegates to the Union party. Emissaries were sent here by military officers,[1] who are now themselves candidates for election, and the nomination of these men forced upon us. Unfortunately for us, poor proscribed members of the Union party, these military men

1. Officers of the Freedmen's Bureau who had been in the Army.

have too much influence with our ignorant black population. . . It places every interest of the State at the disposal of the negroes. Every office, from governor to constable, from the chief justice of the supreme court to the magistrate of a county beat, is made elective and placed at the disposal of the blacks, not one in five hundred of whom can either read or write, and who know no more of what they are doing, when they vote, than would a hog or mule know, if those brutes had the privilege of voting. . .

That these two races — the white and the black — can live under the terms imposed by the reconstruction acts, . . is absolutely impossible. . . The circumstances under which these two races find themselves here, since the emancipation of the blacks, are sufficiently antagonistic of themselves to cause serious apprehensions in the minds of all thinking men, even now. These apprehensions are greatly increased by the provisions of the new constitution, which secures the supremacy of the black race. . . The reckless and unprincipled adventurers who have come among us from the Northern States and affiliated with the blacks, . . assemble the negroes in large numbers, in convenient places, or meet them in the Union Leagues, and address them in inflammatory speeches, upon the treatment they received from their masters while they were slaves, and they warn them against their former masters, telling them that the only friends they have in the South, are the men of the northern army who came here and fought for their liberation from slavery. . . First, we have Tobias Lane, as nominee for the probate judgeship of this county. Lane is a stranger here, from Ohio, . . is altogether ignorant of our laws; and it is not pretended, even by his friends, that he is qualified for the office. He has been put in nomination over the present incumbent, a long-tried and worthy member of the Union party, but who had the misfortune to have been a slaveholder. The second is Yordy, . . [who] claims to have been a captain in the Federal Army; hence the secret of his nomination for the senate from this county. The candidates for the lower house of assembly are one white and two black men. The white man, when last seen here in this town, was an inmate of our county jail. . . No one knows who

he is or where he came from. Then we have two brothers of the name of Cecil, from Ohio; the one for sheriff and the other for treasurer of the county. The would-be treasurer is now engaged in partnership with a negro in the retail grocery business here — in vulgar parlance, keeping a negro doggery. . . Another stranger, of whom I never heard before, is in nomination for the office of tax-assessor. For the important offices of commissioners of revenue and roads, we have one white man, of whom I never heard before, and three negroes. I have been thus particular in the mention of these candidates, not only on account of their being entire strangers among us, and of the way in which their nomination was effected, but more particularly for the purpose of calling your attention to the following facts in connection with the election at which these delegates are to be chosen. Lane and Rolfe are candidates for the two most important offices in the county — probate judge and tax-collector. They are also members of the board of registration, and, by virtue of their office, managers of the election. [1] . . Was it ever before heard of, that candidates for office in a popular election were not only the managers of the election, in which they were to be chosen, but were also clothed with the power of determining who shall and who shall not vote in their election?

Carpetbaggers in Louisiana

House Misc. Doc. no. 211, 42 Cong., 2 Sess., pp. 454, 478. Statements of (1) B. F. Joubert, quadroon, and (2) S. W. Scott, former United States Army officer. Both were Republicans. [1872]

[1] THE ignorant class of the colored people are very ambitious. They think they can hold almost any position; and I think it was a class of white men who are here who have pushed them for that. . . They are worse than anything. They came here to make money, and fill their pockets, and go away. None of them have any residence here; some of them, perhaps, have; I do not speak of all. . . [They are] . . the worst enemies of the negro too. They just want to use the negro for their own benefit. . . I think the governor [Warmoth] has very bad

1. All of these men were elected.

advisers — that ambitious men are using him for their own purposes. They have already made fortunes; they are all rich. . . I think a man who comes from the North here for honest purposes is just as good as a man born in the South. . . We have some of them in our midst who came here simply to make money, who came here without any intention of taking up their residence. . .

I do not denounce the republican party. There is no truer republican, or more radical republican than me. . . I denounce those northern men who come here to hold office only, and when they lose their office they go away. . . I denounce bad men who came here to make money out of their offices and then go away. I think any man, wherever he is born — even if he is a foreigner — has no right to come here and make money out of an office and then go away. . . I did not denounce any northern men. They are our friends. I denounce those who come here to suck our blood. . . There are some of them who have come here, made money — are rich, but they do not own an inch of land in the State. . . We would like to have northern people come here, and if they come here and behave themselves honestly they are well regarded by every man, and the colored people very much. . . I do not go to a poor colored man, pat him on the shoulder, and use him to make money out of him. . .

What we call a carpet-bagger is a man who comes here, as I said, to occupy public position, and make the best of it, and then leave the State where he has made his money. . . There is Mr. Conway, superintendent of education. His wife is very often away, and they do not keep house. That is the reason they call them carpet-baggers; they do not bring their families here. . . The Southern people have been deceived a great deal and taken in by strangers. . . The northern people who come here prejudice the blacks even against me and my class of people. They call me an aristocrat, and put into the heads of the black people that I am an aristocrat. They will associate with the negro, because they want to use him and get his vote; but as soon as they get his vote they don't care about him. They want to make money out of him and get a position. . .

[2] I understand the use of the term carpet-bagger, as it is used by the respectable citizens of the State of Louisiana, to mean northern men who come here expressly for political purposes, and excite the animosity of the colored class against their old masters for the purpose of receiving their votes and obtaining office. These men locate themselves in different portions of the State, and fill any place they can get, without any reference to the location where they are supposed to reside, and, as it is generally believed, obtain these offices for the purpose of robbing the people, having no intention of remaining here after the time when they shall stop making money through their official positions. . . I have traveled extensively through the South — through nearly every parish of the State of Louisiana. I am what is termed by many a carpet-bagger; but I have never yet seen the place where I have been better treated or received than in the South, by the old families and residents here.

The Republican Party in the South

Nordhoff, *Cotton States*, pp. 24, 43, 110, 112. [1875]

No men ever had a greater opportunity to serve their fellow men and their nation than the Republicans who undertook the work of reconstruction in the South; and they could not have desired greater power than was given them. Had they used their power as statesmen, or even as honest and unselfish citizens, not only would the [Southern] States . . today have been prosperous, and their people of both races contented and happy, but there would now have been, in every one of them, a substantial and powerful Republican party. . . They [the Northern Republicans] chose for their allies in the South men like Spencer in Alabama, Ames in Mississippi, Kellogg and Packard in Louisiana, Dorsey and Brooks in Arkansas. . . They suffered the most shameless public plundering to go on in those States without inquiry. They confided the Federal power and patronage to men, many of whom would today be in State prisons if they had their dues. And they have, as the result of their carelessness, seen State after State fall into the hands of the Democrats, and, in a large part of the Union, the name of Republican

made odious to all honest and intelligent men; while they have crushed to the earth a considerable number of honest Republicans in the South. . .

You cannot travel far in Louisiana without discovering that the politicians who, . . rule it, and have done so for the last seven years, in all the departments of its government, State and local, are vehemently and unanimously detested by the white people. I have been amazed to see how all white men, and many blacks, . . whether rich or poor; whether merchants, mechanics, or professional men; whether Americans, French, German, Irish, or Italian by birth: absolutely all, except the office-holders and their relatives — unite in this feeling of detestation of their rulers. It expresses itself so vividly at the polls that . . only five thousand whites out of over ninety thousand supported the Republican ticket at the last election; and it is a fact that most of these five thousand are office-holders, the greater part being strangers in the State. . . I have found scarcely a colored man out of office, who did not complain to me that the Republican whites are as faithless to their duty as they believe the other side would be.

Now, this small band of white men have for more than six years monopolized all political power and preferment in the State. They have laid, collected, and spent (and largely misspent) all the taxes, local taxes as well as State; they have not only made all the laws, but they have arbitrarily changed them, and have miserably failed to enforce any which were for the people's good; they have openly and scandalously corrupted the colored men whom they have brought into political life; they have used unjust laws to perpetuate and extend their own power; and they have practiced all the basest arts of ballot-stuffing, false registration, and repeating at election after election.

The Alabama Legislature

Annual Cyclopedia, 1870, p. 13. [1870]

MANY facts relating to the legislative body of Alabama at the session of 1870 were publicly announced which were unfavorable to its ability. Several dozens of engrossed bills were re-

turned by the Senate to the Lower House, and others returned by the House to the Senate, for the purpose of having their gross errors in the spelling corrected. In some of them the word expressing the object of the bill was changed into another by mistake. Both Houses appointed committees to inquire into this matter. The Lower House expelled one and did all but expel another of its clerks on that account. A member of its committee declared, however, that the fault was not in the clerks, but in the members of the House, who could not spell correctly. Hence the appointment of a special clerk was proposed, whose duty it should be to revise the spelling of the bills, and attend to their correctness. In the Senate the committee reported that they could not find who the incompetent clerk was; and one of its members publicly averred that there were senators who could not write three lines correctly. During the session it was insinuated in the public papers that members of the legislature could not write their names. The Democratic and Conservative State Committee . . in an address to the people of Alabama, [stated]. . . "You would find members of the General Assembly unable to read or write — incapable of understanding the meaning of a law after being enacted by their votes; and unable, perhaps, to explain what measures they had voted for or against."

"The Smelling Committee"

Wallace, *Carpet Bag Rule in Florida*, p. 103. Wallace was a negro senator from Leon County. [1869]

THE colored members of the [Florida] legislature who had heretofore been content with the salary which was provided by the Constitution as their pay now [1869] began to learn something of the meandering ways of their carpetbag leaders. They began to inquire how their white brethren could handle so much money, when they got no more pay than they did. . . The colored members, . . began to hold separate caucuses, and finally they elected a permanent chairman of the caucus, and that chairman appointed a committee of three to ferret out all

the schemes which looked anything like money schemes. This committee was styled "the smelling committee." The duty of this committee was to visit the hotels and private rooms of the carpetbag members and ascertain . . whether there was anything or things, measure or measures before, or likely to come before the legislature at that session which the carpetbag brother could make money from, and if so to report the same to the caucus. . . The chairman of the caucus was empowered to inform any party or parties who were in need of votes in the legislature to pass measures, the number of votes that could be had and the amount required to satisfy the members of the caucus. When any money was received from this source it was to be equally divided among the members. This plan worked for some time but no money was forthcoming. . . The members began to perceive that the chairman was getting very flush with money, and they naturally became suspicious that he was playing carpetbagger on them. . . He at first stubbornly denied having received any moneys for the caucus, but a party who had given him money for the caucus, finding his measure fought in the legislature by members of the caucus, found fault with some of them. . . The note in which the complaint was conveyed was to the effect that he had made "the boys" a present of —— dollars which he had handed to Mr. S. The chairman having been convicted of the charge, now declared that the money was made a present to him individually, and refused to make a division. This broke up the caucus arrangement, and after that time each member of the caucus struck out for himself.

A Negro Legislature

Pike, *Prostrate State*, p. 12, *et seq.* A "Liberal" Republican's description of the South Carolina legislature in 1871. [1871]

In the place of this old aristocratic society stands the rude form of the most ignorant democracy that mankind ever saw, invested with the functions of government. It is the dregs of the population habilitated in the robes of their intelligent pre-

decessors, and asserting over them the rule of ignorance and corruption. . . It is barbarism overwhelming civilization by physical force. It is the slave rioting in the halls of his master, and putting that master under his feet. And, though it is done without malice and without vengeance, it is nevertheless none the less completely and absolutely done. . . We will enter the House of Representatives. Here sit one hundred and twenty-four members. Of these, twenty-three are white men, representing the remains of the old civilization. These are good-looking, substantial citizens. They are men of weight and standing in the communities they represent. They are all from the hill country. The frosts of sixty and seventy winters whiten the heads of some among them. There they sit, grim and silent. They feel themselves to be but loose stones, thrown in to partially obstruct a current they are powerless to resist. . .

This dense negro crowd . . do the debating, the squabbling, the lawmaking, and create all the clamor and disorder of the body. These twenty-three white men are but the observers, the enforced auditors of the dull and clumsy imitation of a deliberative body, whose appearance in their present capacity is at once a wonder and a shame to modern civilization. . .

The Speaker is black, the clerk is black, the door-keepers are black, the little pages are black, the chairman of the Ways and Means is black, and the chaplain is coal black. At some of the desks sit colored men whose types it would be hard to find outside of Congo; whose costume, visages, attitudes, and expression, only befit the forecastle of a buccaneer. It must be remembered, also, that these men, with not more than a half dozen exceptions, have been themselves, slaves, and that their ancestors were slaves for generations. . .

But the old stagers admit that the colored brethren have a wonderful aptness at Legislative proceedings. They are "quick as lightning" at detecting points of order, and they certainly make incessant and extraordinary use of their knowledge. No one is allowed to talk five minutes without interruption, and the one interruption is a signal for another and another, until the original speaker is smothered under an ava-

lanche of them. Forty questions of privilege will be raised in a day. At times, nothing goes on but alternating questions of order and privilege. The inefficient colored friend who sits in the Speaker's chair cannot suppress this extraordinary element of the debate. Some of the blackest members exhibit a pertinacity of intrusion in raising these points of order and questions of privilege that few white men can equal. Their struggles to get the floor, their bellowings and physical contortions, baffle description. The Speaker's hammer plays a perpetual tattoo all to no purpose. The talking and the interruptions from all quarters go on with the utmost license. Every one esteems himself as good as his neighbor, and puts in his oar, apparently as often for love of riot and confusion as for anything else. It is easy to imagine what are his ideas of propriety and dignity among a crowd of his own color, and these are illustrated without reserve. The Speaker orders a member whom he has discovered to be particularly unruly to take his seat. The member obeys, and with the same motion that he sits down, throws his feet on to his desk, hiding himself from the Speaker by the soles of his boots. . . After a few experiences of this sort, the Speaker threatens, in a laugh to call "gemman" to order. This is considered a capital joke, and a guffaw follows. The laugh goes round and then the peanuts are cracked and munched faster than ever; one hand being employed in fortifying the inner man with this nutriment of universal use, while the other enforces the views of the orator. This laughing propensity of the sable crowd is a great cause of disorder. They laugh as hens cackle — one begins and all follow.

But underneath all this shocking burlesque upon Legislative proceedings, we must not forget that there is something very real to this uncouth and untutored multitude. It is not all sham, nor all burlesque. They have a genuine interest and a genuine earnestness in the business of the assembly which we are bound to recognize and respect. . . They have an earnest purpose, born of conviction that their conditions are not fully assured, which lends a sort of dignity to their pro-

ceedings. The barbarous, animated jargon in which they so often indulge is on occasion seen to be so transparently sincere and weighty in their own minds that sympathy supplants disgust. The whole thing is a wonderful novelty to them as well as to observers. Seven years ago these men were raising corn and cotton under the whip of the overseer. To-day they are raising points of order and questions of privilege. They find they can raise one as well as the other. They prefer the latter. It is easier and better paid. Then, it is the evidence of an accomplished result. It means escape and defence from old oppressors. It means liberty. It means the destruction of prison walls only too real to them. It is the sunshine of their lives. It is their day of jubilee. It is their long promised vision of the Lord God Almighty.

Keeping Money in the State

Report on Public Frauds in South Carolina, p. 640. Statement of W. Beverly Nash, a negro leader. [1872]

AFTERWARDS I saw [Senator] Leslie in one of these rooms and he handed me a smaller package, about the shape of a brick, which I took and carried home, and on examination found that it contained about five thousand dollars in money. I will not be positive, but I think that the sum of $30,000 was to be distributed among the members of the Senate Committee on Finance, and there was some feeling afterwards about some rumors that Owens and Whittemore had got more than other Senators. . . I have one of the Blue Ridge scrip now for $5,000 which was given me in connection with these matters, in addition to the $5,000 testified to above. I was supporting these Bills because I thought, after hearing arguments of these men, that it was right, and I merely took the money because I thought I might as well have it and invest it here as for them to carry it off out of the State.

"What are You Willing to Pay?"

Ku Klux Report, South Carolina testimony, p. 178. Statement of counsel for manufacturers. [1871]

I WENT to [Tim Hurley, negro] and told him the circum-

stance, that this man wanted to get a charter for his mine; that it would bring into the State $160,000 or $170,000 of cash immediately, and would help our people a great deal. He looked at me and said, "What is the thing worth?" I said, "It has not been tried yet, but we hope to make it profitable." He burst out into a laugh, and said, "You are green; I mean what are you willing to pay to get the thing through?" I said, "I am not willing to pay anything. You are legislating for our people; this is for the benefit of the people, and we demand our rights at your hands." He seemed to be almost convulsed at my simplicity, and I left him. The bill was not passed that week, and I returned to Columbia on some business afterward, and met this man, who said, "There is no other way than to pay this thing through, and I have made arrangements to do it; if you will go to the legislature to-morrow you will see the difference between your arrangements and those I have made." The bill was carried through, what we call galloping a bill through, read just as rapidly as they could read it.

My father wanted a charter for a cotton factory; he applied to Hurley, and he asked him what he was able to give for it; my father said, "I am not able to give anything; but I have this property, and I think if I had a charter I could perhaps raise means enough to make it valuable." Hurley replied, "O, judge, these things all require money; you need not talk that way." It did not get through; he applied to members to introduce the bill, and they said they would do so, but they were confident it would fail.

Carpetbag Rule in Louisiana

House Report, no. 101, 43 Cong., 2 Sess., p. 6. Report of sub-committee — Charles Foster, W. W. Phelps, and C. N. Potter — adopted by the Committee on the Condition of the South. Reported by G. F. Hoar, chairman, January 15, 1875. [1874]

THE conviction has been general among the whites since 1872 that the Kellogg government was a usurpation. This conviction among them has been strengthened by the acts of the Kellogg legislature abolishing existing courts and judges, and

substituting others presided over by judges appointed by Kellogg, having extraordinary and exclusive jurisdiction over political questions; by changes in the law centralizing in the Governor every form of political control, including the suspension of elections; by continuing the returning-board with absolute power over the returns of elections; by the extraordinary provisions enacted for the trial of titles and claims to office; by the conversion of the police force, maintained at the expense of the city of New Orleans, into an armed brigade of State Militia, subject to the command of the Governor; by the creation . . of monopolies in markets, gas-making, water-works, and ferries, cleaning vaults, removing filth, and doing work as wharfingers; by the abolition of courts with elective judges, and the substitution of other courts with judges appointed by Kellogg, in evasion of the constitution of the State; by enactments punishing criminally all persons who attempted to fill official positions unless returned by the returning-board; by unlimited appropriations for the payment of militia expenses, and for the payment of legislative warrants, vouchers, and checks issued during the years 1870 to 1872; by laws declaring that no person, in arrears for taxes after default published, shall bring any suit in any court of the State, or be allowed to be a witness in his own behalf — measures which, when coupled with the extraordinary burdens of taxation, have served to vest, in the language of Gov. Kellogg's counsel, "a degree of power in the Governor of a State scarcely exercised by any sovereign in the world."

With this conviction is a general want of confidence in the integrity of the existing State and local officials, . . which is accompanied by the paralyzation of business and destruction of values. . . The securities of the State have fallen, in two years, from 70 or 80 to 25; of the city of New Orleans from 80 or 90 to 30 or 40; while the fall in bank-shares, railroad-shares, city and other corporate companies, have, in a degree, corresponded. Throughout the rural districts of the State the negroes reared in habits of reliance upon their masters for support, and in a community in which the members are always

ready to divide the necessaries of life with each other, not regarding such action as very evil, and having immunity from punishment from the nature of the local officials, had come to filching and stealing fruit, vegetables, and poultry, so generally . . that the raising of these articles had to be entirely abandoned, to the great distress of the white people, while . . the taxation had been carried almost literally to the point of confiscation. In New Orleans the assessors are paid a commission on the amount appraised, and houses and stores are to be had there for the taxes. In Natchitoches Parish the taxation reached about 8 per cent of the assessed value on property. In many parishes all the white Republicans and all the office-holders belong to a single family. There are five of the Greens in office in Lincoln; and there are seven of the Boults in office in Natchitoches. . .

The Kellogg government claims to have reduced taxation. This has been effected in part by establishing a board to fund the debt of the State, at 60 per cent. of its face value. This measure aroused great hostility, not so much of the reduction of its acknowledged debt, as because it gave to the funding board, . . discretionary authority to admit to be funded some six millions of debt alleged to be fraudulent. So that under the guise of reducing the acknowledged debt it gave opportunity to swell the fraudulent debt against the State. . . Rings have been formed in the parishes composed of the parish officers, their relatives, and of co-operating Democrats, who would buy up these obligations, put them in judgment, and cause them to be enforced, to the great distress of the neighborhood — a distress so great that the sales of lands for taxes had become almost absolutely impossible.

The Republican Rule in South Carolina

House Misc. Doc. no. 31, part i, 44 Cong., 2 Sess., p. 335. Extracts from Governor Chamberlain's statements, published in the Charleston *News and Courier*, September 20, 1876. He was then candidate on the Republican ticket for re-election. [1875-1876]

The cover of vast frauds: That certificates for legislative expenses have been made the cover of vast frauds no man will

dispute. They are universally regarded as the last culminating evidence of a prevailing system of corruption which has disgraced our State and offended the nation. [Veto of bonanza bill, March 17, 1875.]

The sale of votes: A very large number of the members of the South Carolina legislature come to the capital for the purpose of selling their votes and making all they can out of office. [Interview, May 24, 1875.]

Stealing, pure and simple: The last six sessions, up to the time I was inaugurated, cost the State, under the head of legislative expenses, the enormous sum of $2,147,430.97. These figures, I may say, are unparalleled in the history of American legislation. It is stealing, pure and simple. [Interview, May 24, 1875.]

A farce and a fraud: The duties of a trial-justice here are precisely the same as the duties of justice of the peace in other States; yet previous governors had appointed and commissioned over two hundred men to the important duties of this office who could not write or read a word of the English language. It was a farce and a fraud; for how can men thus ignorant intelligently try cases, civil and criminal, brought before them? [Interview, May 24, 1875.]

A travesty: What a travesty it is to see men filling the office of school commissioner, to pass upon the qualifications of school-teachers, when they can barely write their names. [Speech, February 2, 1876.]

The doom of radicalism: No party can rule this State that supports Whipper and Moses. . . There is but one way to save the republican party in South Carolina, and that way is to unload Moses and Whipper, and all who go with them. . . Neither the administration at Washington, with all its appliances, civil and military, nor all the denunciations of the world heaped upon me, can save the republican party here from overwhelming defeat during this year, unless we can persuade the people of this State that such things as these judicial elections will be undone, and never by any possibility be repeated. [Letter to Senator Morton, June 13, 1876.]

2. FRAUDS, TAXATION AND EXPENDITURE

The Refreshment Room

Report on Public Frauds (1877), p. 170. Statement of Lewis Grant, porter, South Carolina state house. [1868-1874]

A PART of my duty was to attend to the refreshment room adjoining the room occupied by the Clerk of the Senate. I generally opened the room at 8 o'clock in the morning and kept it open from 2 to 4 next morning. During that time some one was constantly in the room, eating, drinking or smoking. Senators, members of the House and State officers and Judges and editors of influential newspapers were constant visitors; not an hour in the day, and but few at night, but what some one of them were there drinking and smoking. Many of the Senators and members would come to the room before breakfast, hunting a drink or "eye-opener." I cannot estimate the amount drank on an average every day, but several gallons, with a considerable amount of wine, porter, ale, &c., included. We kept the best article all the time; the Senators and members would complain if any but the best of cigars and wines and liquors were furnished them. I remember many times to have had on hand what I considered very good cigars and liquors, but they would complain. I found it hard to keep a sufficient amount of cigars on hand to supply their demands, from the fact that the Senators and members on leaving would generally fill one or two of their pockets. I have seen men assembled in bar rooms drinking and carousing, but I never saw anything to equal the refreshment room of the Senate for drinking, smoking and talking. Sunday was no exception to the rule. Often, after they would drink heavy, many of them would lie down on the sofas and sleep until next morning. I remember often when the call of the Senate was made that the members would be in the refreshment room drinking. I thought it impossible for men to drink so much whisky and attend to any business. I remember that a large majority of the men who assembled

at the room were Republicans, though some Democratic Senators and some few from the House were there. . . The Senate refreshment room was where the members met to talk over the various jobs that were under consideration and make arrangements as to how they would vote on them. When some of them would leave they would put a bottle of champagne in their pockets. The room was kept open and refreshments received from the time I was appointed porter.

"The State Must Take Care of its Statesmen"

Report on Public Frauds (1877), p. 29. Statement of Josephus Woodruff, clerk of the South Carolina Senate. [1868-1874]

UNDER the head of supplies was embraced anything that a Senator chose to order. Orders were generally given through the Clerk, and the accounts rendered against the Clerk of the Senate. At first these orders were moderate and included only such necessary articles as stationery and postage stamps, but they generally increased until they assumed gigantic proportions. The accounts were . . made payable out of the Senate contingent fund. From the commencement of my official career the Committee to audit and control the contingent expenses of the Senate always claimed the right to order what they pleased and include in their reports, under the names of "sundries and others," their personal accounts. The practice became so general as to embrace nearly every Republican and some Democratic Senators and the accounts ordered to be paid without inquiring or a dissenting voice. The Senate Rule requiring all reports to lie over one day for consideration was almost always suspended in these cases and the reports considered immediately. They were agreed to, [and] the accounts ordered to be paid. . . Senators would leave their accounts with the Chairman of the Committee on Contingent Accounts, and when personal bills were settled in this way they were returned to Senators receipted. The largest bills were rendered for refreshments, including the best liquors and cigars, which were served to Senators and their friends in a room next to the office of the Clerk of the Senate. The refreshment room was kept

open and was accessible at all times. It was visited daily by State officials, Senators and Representatives, Judges, lawyers, editors and reporters of newspapers and citizens generally, irrespective of party, who discussed matters, State and national, in the most amiable manner over a sparkling glass of champagne or favorite wine or choice cigars. My porter, Louis Grant, was kept in constant attendance on the refreshment room, generally from 12 M., when the Senate met, to 2 and 3 o'clock next morning. This matter, like others, gradually assumed the largest proportions. Orders were given for liquors and cigars, which were sent to the hotels and residences or boarding houses of Senators and their friends, and enormous bills rendered accordingly. Of these I usually had no knowledge. But whenever I sent an order of my own for any special occasion outside I paid for them invariably with my own funds. . .

Contingent account certificates for various amounts were frequently drawn to the order of the Clerk of the Senate and turned over to the Chairman of the Committee on Contingent Accounts for collection and distribution. As these transactions became common the Senators claimed that all their expenses should be paid by the State, or, in the language of Mr. Leslie,[1] "the State had no right to be a State unless it could pay and take care of its statesmen." Gratification certificates, issued without any consideration but for the use of Senators, also became frequent.

Supplies for South Carolina

Report on Public Frauds, p. 24. The items were copied from the vouchers by an investigating committee. They were paid for by the State as "State House Supplies." [1868-1874]

Refreshments, Wines and Liquors

HEIDSICK champagne, green seal do., vin imperial do., Verzenay do., Moet and Chandon do., scuppernong, sparkling Moselle, Catawba, Chateau la Rose claret, Chateau La Fitte claret, imperial pale sherry, best Madeira, port and malaga

1. Leslie was a carpetbagger from Massachusetts.

wines, blackberry wine, finest otard-du-puy brandy, finest French cognac do., Baker, cabinet, rye, Bourbon, nectar and corn whiskies, Holland gin, Jamaica rum, cases of Hostetter's Indian, Kerr's, Russian, boker, St. Domingo and wine bitters, Congress water, best bottled ale, lager and porter, sarsaparilla, Curacoa, maraschino, ale by the cask.

Cigars and Tobacco

Imported Brevas, Partagas, Espanolas, Espanola Londres, Conchas, Live Indian, Pantillo, Espanola Conchas, finest plug tobacco, finest cut chewing tobacco, Durham and best smoking tobacco.

Refreshments, Groceries and Delicacies

Best Westphalia hams, Bologna sausages, bacon strips, diamond hams, Java and Rio coffee, pineapple, Edam, Switzer and English cheese, gilt edge butter, sardines, smoked and canned salmon, smoked beef and buffalo tongues, canned oysters and lobsters, fresh Norfolk oysters, deviled ham, black and green teas, French chocolate, olive oil, catsups, Worcester and pepper sauces, imported mushrooms, preserved ginger, Guava jelly, pickles, brandy cherries and peaches, lemon syrup, assorted extracts, sea foam, citron, assorted nuts, lemons, oranges, wax and adamantine candles, Colgate, fancy and toilet soaps, starch, table and Liverpool salt, kerosene oil, bacon, sides and shoulders, English mustard, vinegar, mackerel, concentrated lye, Orleans and fancy syrups and molasses, assorted English crackers and biscuits, condensed milk, parlor matches, Irish potatoes, leaf lard, assorted pepper, sugar, flour and pearl grist.

Furniture

Finest walnut office chairs, office desks, continental chairs, washstands, hat racks, marble top washstands, wardrobes, library tables, marble top sideboards, book cases, hair seat rocking chairs, large and small easy chairs, marble top bureaus, saloon tables, bed-steads, opera chairs, leather seat chairs, cane seat chairs, stuffed back chairs, stuffed back arm chairs, commodes, umbrella stands, large library book cases, small library

book cases, oval library tables with carved legs, red rep lounges, green rep lounges, finest plush velvet tete-a-tetes, finest walnut fancy rep tete-a-tetes, large and small Gothic chairs, Prescott arm chairs, extra large striped rep Prescott arm chairs, green rep French lounges, large shelf-back marble top washstands, counter desks, hat stands, marble top tables, crimson plush sofas, large looking glasses, superior refrigerators, large willow chairs, towel racks, folding chairs, fine coffin, fine cradle, bed lounges, fancy fire screens, extra large and heavy cotton mattresses, extra large and heavy feather beds, extra large and heavy feather bolsters, extra large and heavy feather pillows, double spring mattresses, cot and mattresses, sponge pillows, sponge bolsters, sponge mattresses, gilt mantel mirrors.

Furnishings

Finest English tapestry Brussels carpeting, English body Brussels carpeting, three-ply ingrain carpeting, English velvet rugs, English velvet door mats, English thread door mats, English oilcloths, English velvet hassocks, cocoa mats, cocoa matting, rich heavy cornices, satin delaine curtains, lambrequins, window shades and fixtures, large cords and tassels, gimps, brocatel curtains and trimmings, gold bound shades and spring rollers, white and checked mattings, dry goods, finest French velvets, extra fine large gray hair cloth, silk damask, linen damask tablecloth, linen damask wire cloth, Irish linens, billiard tablecloths, linen towels, woolen blankets, linen d'oylies, linen napkins, imported flannels, imported insertions, imported edgings, finest dress goods — all kinds, honeycomb quilts, Marseilles quilts, shawls, linen sheeting, linen pillow casing, linen shirting, cotton shirting, sheeting, cotton pillow casing, imported kid gloves, ladies' satchels, men's white and brown hosiery, linen cambric handkerchiefs, ladies' hoods, cambrics, ribbons of all qualities, fine plaid goods, extra long bath towels, pieces of crepe, scissors, skirt braids and pins, baize, spool cotton, prints, tooth brushes, hair brushes, heavy combs, flax, buttons, whale-bone, ginghams, hooks and eyes, boulevard skirts, bustles, extra long stockings, chignons, pal-

pitators, garters, chemises, under vests, parasols, sun umbrellas.

Clothing

In general assortment and variety.

Jewelry and Fancy Goods

Gold watches and chains, rich sets gold jewelry, diamond rings, diamond pins, gold lockets, gold charms, gold finger rings, gold necklaces, gold pencil cases, gold pens, gold breast-pins, ivory-handled knives and forks, pen and pocket knives, tea spoons, table spoons, table forks, call bells, extra fine table castors, rich toilet sets, pocket pistols, Japanned tea trays, cuckoo clocks, extra fine Belgian marble mantel clocks, French China vases, French artificial flowers, ladies' fine work boxes, finest colognes, French extracts, bottles Florida water, gold and rubber pens and holders, pocket books, stereoscopes and views, writing desks, ladies' portemonnaies, French mantel clocks, key rings, tape measures, feather dusting brushes, plated spoons, baskets, Webster's Unabridged Dictionary, latest and most expensive library works, drop lights, sixty-four light chandeliers, twenty-seven light chandeliers, six light chandeliers, five light chandeliers, four light chandeliers, four light bracket chandeliers, fine cornices with gilt eagles, fine shields with coat of arms.

Crockery and Glassware

Champagne glasses, salt cellars, cup plates, decanters, tumblers, ornamental cuspadores, extra fine punch mugs, fancy granite chamber sets, fancy lamps, wash basins, soap boxes and trays, French China coffee cups, French China dinner sets, French China cups and saucers, French China candlesticks, fine glass globes, all sizes, decorated spittoons, decorated tulip toilet sets, decorated tulip oval pitchers, rich cut goblets with monograms.

Printing Matter, &c.

Warrants of arrest, recognizances, summonses, election tickets, contracts, articles of agreement, lodge circulars, visiting cards, diaries, Morocco memorandum books, perpetual calen-

dars, packages finest initial note paper, reams Juniata paper, scrap books, envelopes, ink, mucilage, wall paper, bordering, lead pencils, ruling pens, paper weights, letter clips, bill files, rubber bands, paper cutters, sponge cups, envelope openers, inkstands, ink vents, slate pencils, rulers, magic ivory, leather and black pencils.

Stock, &c.

Fine horses, mules, carriages, buggies and harness.

Sundries

Egg coal, cords oak wood, cords light wood, andirons, fenders, shovel and tongs, grate baskets, stoves, pipes, coffee biggins, tea pots, sauce pans, cooking stoves and utensils, tin buckets, tin cases, blacking, blacking brushes, jugs, bags, demijohns, lead pipes, lanterns, brooms, fruit jars and elastics, kegs, wash tubs, wash boards, cork screws, slop pails, dusters and dust pans, foot tubs, manilla paper, hand saws, files, axes, water coolers, granite chambers, bed pans, coffee mills, axe helves, stove polish.

Some Legislative Expenses

Report on Public Frauds in South Carolina, p. 7. Copies of receipted bills in the South Carolina treasury. Two hundred thousand dollars was spent for furniture, only $17,000 of which went to furnish the State House. The investigating committee in 1877 printed about 1200 pages of similar bills, and this was only a fraction of the material there. No attempt was made in South Carolina to disguise the frauds. [1868-1873]

Columbia, S. C., —— 1868.

JOHN WILLIAMS, Sergeant-at-Arms,

Bought of J. H. & M. L. KINARD, . .

1870

Nov.	26.	1 comb and brush . . .	$ 2 75
	29.	½ dozen towels, $6 . .	3 00
		3 L. C. handkerchiefs, 25c — 75c., and 3 at 37½c. — $1.13 . .	1 88
		5 yards brown homespun, 10c. .	50
Dec.	1.	½ dozen towels, $6 . .	3 00
		4 hair brushes, $1 . . .	4 00

		4 dressing combs, 75c. . .	3 00
	2.	1 bottle extract . . .	1 25
		1 bottle cologne . . .	2 50
		1 valise	9 00
	5.	50 yards cocoa matting, $1.25 .	62 50
	12.	100 yards cocoa matting, $1.25 .	125 00
	13.	3 wood boxes, $1 . . .	3 00
	14.	1 dozen linen collars . .	3 00
	3.	1 pair suspenders . . .	75
		1 stereoscope . . .	1 50
		1 portemonnaie . . .	2 00
		Matting, tacks and hammer .	1 25
		1 skirt, $5.50; 1 shawl, $7; 1 set, $6	18 50
		1 set	12 00
	16.	1 pair gloves, 2.50; 2 hair brushes, $1 — $2	4 50
		2 combs, 75c. — $1.50 . .	1 50
	19.	1 job lot soap, $1.75; 1 boulevard, $4.50	6 25
	21.	1 pair blankets . . .	12 00
Jan.	5.	1 pair corsets . . .	3 00
			$ 287 63

Columbia, S. C., February 15, 1873.

Mr. J. Woodruff, for Senate,

Bought of George Symmers, . .

1873.			
Jan.	29.	1 gallon whisky, $7; 1 case champagne, $45	$ 52 00
Jan.	29.	1 y. a. cheese, $3.50; (30) 4 dozen quarts lager, $7 — $28 . . .	31 50
Jan.	30.	1 box cigars, $10; 1 case wine, $45	55 00
Jan.	31.	4 dozen Bass ale, $3.50 — $14; matches, 50c	14 50
Feb.	1.	6 boxes cigars, $10 — $60; cheese, $1.25; crackers, $1.25 . . .	62 50

Feb. 1.	1 dozen ale, $3.50; 1 dozen porter, $3.50; 1 jar ginger, $3; (Green) .	10 00
Feb. 1.	½ gallon c. whisky, $1.50; 1 bottle wine, $2; (Hollingshead) . .	3 50
Feb. 1.	3 bottles wine, $6; 1 box cigars, $9; (Robertson)	15 00
Feb. 4.	4 dozen ale, $3.50 — $14; 1 gallon c. whisky, $3	17 00
Feb. 4.	Matches, 40c.; (5) 1 gallon c. whisky, $3	3 40
Feb. 5.	1 pineapple cheese, $2.50; 5 pounds crackers, $1.25	3 75
Feb. 5.	3 boxes cigars, $10 — $30; (6) 1 gallon whisky, $7	37 00
Feb. 5.	1 pineapple cheese, $2.50; 6 boxes sardines, $1.80	4 30
Feb. 5.	2 boxes cigars, $10 . . .	20 00
Feb. 7.	Bill of merchandise to Lee . .	284 39
Feb. 7.	1 gallon whisky, $7; 1 gallon c. whisky, $3; 1 cheese, $2.50 . . .	12 50
Feb. 7.	2 bottles champagne . . .	7 00
Feb. 8.	1 box, 6 pounds candles, $2.40; 1 gallon c. whisky, $3	5 40
Feb. 8.	1 pine a. cheese, $1.75; 5 pounds crackers, $1.25	3 00
Feb. 8.	1 box cigars, $10; 3 dozen ale, $3.50 — $10.50	20 50
Feb. 10.	3 gallons whisky, $7 — $21; 2 gallons sherry, $14	35 00
Feb. 10.	2 boxes cigars, $20; 1 gallon whisky, $7	27 00
Feb. 11.	1 gallon whisky, $7; 6 pounds cheese, $1.63; crackers, $1.25 . .	9 88
Feb. 11.	2 dozen porter, $7; 3 bottles maraschino, $4 — $12; (Robertson) . .	19 00
Feb. 11.	3 bottles curacoa, $12; 1 case champagne, $45; (Robertson) . . .	57 00
Feb. 12.	1 gallon whisky, $7; 1 dozen boxes matches, 40c. . . .	7 40

Feb. 12.	1 cask, 8 dozen porter, $3.50; (Lee)	28 00
Feb. 13.	1 gallon c. whisky, $3; 10 pounds crackers, 25c. — $2.50 . . .	5 50
Feb. 13.	6 boxes sardines, $1.80; 6 pounds cheese, 25c. — $1.50 . . .	3 50
Feb. 13.	3 pounds Schwitzer cheese, 40c. — $1.20; (14) 1 gallon whisky, $7 . .	8 20
		$861 52

Received payment by order on State Treasurer.

GEO. SYMMERS,
Per Roy.

Public Printing in South Carolina

Report on Public Frauds in South Carolina, (1877), pp. 214, 329. The "Printing Ring" was composed principally of State officials—Governor Scott, Treasurer Parker, Attorney General Chamberlain, the clerks of the Senate and the House, and a few members of the Legislature. In order to secure appropriations votes were purchased in numbers. [1872-1873]

Session of 1868-69	$ 21,124
Session of 1869-70	45,000
Session of 1870-71	152,465
Session of 1871-72	173,000
Session of 1872-73	450,000
Session of 1873-74	385,000
Session of 1874-75	50,000
Session of 1875-76	50,000
Total cost from 1868 to 1876 . .	$1,326,589
Total cost from 1790 to 1868 . .	609,000

Showing an excess of cost for printing during eight years of Republican administration over the seventy-eight previous years of . . . $ 717,589

Average cost of printing under Republican administration per year . . . . . $ 165,823
Average cost of printing under old *régime* per year 7,807

Cost of printing under Hampton administration one year		6,178
Amounts appropriated session of 1872-73, Republican administration	$	450,000
Total for twenty-five years, "old *régime*," (1840-1866)	$	278,251
Excess of cost of printing for one year of Republican administration over that of the old *régime* for twenty-five years	$	171,749
Total for fifteen months under Republican administration	$	835,000
Cost of printing for seventy-eight years under old *régime*		609,000
	$	226,000

Excess of cost of printing under Republican administration for fifteen months over that of old *régime* for seventy-eight years, as above, $226,000.

Cost of printing per month under Republican administration	$	55,666
Cost per month under Hampton administration		514

The Finances of Arkansas

Nordhoff, *The Cotton States in 1875*, pp. 29-31. [1868-1875]

ARKANSAS has less than 650,000 people. It has about 120,000 voters. These owed in 1868, when reconstruction began in this State, about $3,500,000, and had $319,000 in cash in their treasury. The debt was State debt. The counties owed little or nothing.

To-day, after seven years, the State owes at least $15,700,000, and most of the counties have debts of their own sufficient to make them bankrupt. And for this huge indebtedness, which amounts for State, counties, town, and school districts to probably $20,000,000, the people have nothing to show, except some miles of railroad, . . There are no new

public buildings; neither science nor the arts have been advanced. The old State-house looks as dilapidated as when reconstruction began, and has been changed in nothing except having its door-lintels mutilated that a Brooks cannon might be squeezed into the hall; the schools are almost all closed because the school fund was stolen; and Little Rock is unpaved, though the conquerors of 1868 issued nearly shinplasters enough to pave all the streets handsomely with the paper itself, and bonds enough besides to make dry crossings at the corners. . .

The State debt alone amounts . . to more than $115 for every voter. State, county, township, and school debts, including scrip of all kinds, would probably bring the voters in debt $175 per head. . .

In Little Rock, the collector of taxes openly engaged in brokerage, took out a Federal license as a broker, and then drove a thriving trade with the citizens when they came to pay their taxes. You must understand that all State and county scrip was receivable at par for taxes. If a citizen had to pay $50 for taxes, he might buy scrip at thirty cents and pay it in at par. But the collector bought scrip beforehand, when the market was low, and made his own bargain with the citizen. It is said he made his office worth $100,000 a year. His way was to demand a moiety of the tax, but in greenbacks. For this he gave a receipt in full. Then he kept the greenbacks, and turned into the treasury in their place the scrip he had bought up so cheaply. This atrocious form of swindling became so universal that I have been told only one county tax collector in the whole State has uniformly turned into the treasury the same money which he received; and this when the allowances of the assessors and collectors were so great that in some years it cost twenty per cent. to collect the State revenue.

Taxation in North Carolina

Ku Klux Report, North Carolina testimony, p. 313. Statement of Plato Durham, lawyer. [1871]

THE taxation for State purposes has been increased fivefold

under the new constitution. Our taxation for State purposes before the war used to be ten cents on each one hundred dollars valuation of property — one-tenth of one per cent. We pay this year for State purposes 52 cents on each one hundred dollars of value. . . That is the present levy for regular State purposes, in addition to interest on the public debt, county expenses, &c.

Taxation in Mississippi

Mississippi Election of 1875, p. 457. A protest from the Mississippi Taxpayers' Convention to the Legislature, December 2, 1874. [1874]

To show the extraordinary and rapid increase of taxation . . we will cite these particulars, viz.:

In 1869, the State levy was 10 cents on the $100 of assessed value of lands. For the year 1871 it was four times as great. For 1872 it was eight and a half times as great. For the year 1873 it was twelve and a half times as great. For the year 1874 it was fourteen times as great as it was in 1869. The tax-levy of 1874 was the largest State tax ever levied in Mississippi, and to-day the people are poorer than ever before. . .

A careful estimate shows that during those years of increasing and most extravagant tax-levies, the public debt was increased on an average annually over $664,000, a sum of itself sufficient to defray the entire expenses of the government, economically administered. That is, the State spent on an average, this large sum each year, over and above the amount collected on those monstrous tax-levies.

County Finances

(1) Reynolds, *Reconstruction in South Carolina*, p. 304. Statement of Judge T. J. Mackey, reform Republican; (2) *Ku Klux Report*, Alabama testimony, p. 461. Statement of P. M. Dox, Northern man, Independent. [1871]

[1] THE Government of Edgefield has been for eight years a festering ulcer upon our body politic, and a diligent attempt is now being made to hide with the "bloody shirt" the appalling wrongs committed by the Republican party on the white population of that section. For example, there have been three county treasurers, all Republicans, appointed in Edgefield since

1868. The first, John Wooley, proved a defaulter to the amount of $25,000; the second, Eichelberger, in the sum of about $30,000, and the third, McDevitt, estimated at $40,000 or $50,000.

The government is wholly composed of negroes elected on the race issue, asserted even against white Republicans.

[2] In 1858 the total State tax of Madison County [Alabama], from all sources was $23,417.63. In 1870 the total State tax of Madison County was not less than $65,000, made up as follows:

Tax on real estate	$51,445 30
Tax on personal property . . .	8,471 75
Tax on licenses, polls, insurance, &c., estimated at	5,082 95

The estimate of taxes for polls, insurance, &c., is a low one, and the probability is that the aggregate will in fact fall but little below $70,000. The total State tax on land in Madison County in 1858 was $7,213.10; in 1870, it was $51,445.30 — a difference of $44,232.20. In other words, the total tax paid on land in our county in 1870 was more than seven times what it was in 1858. And before the war we had over thirteen thousand slaves in the county, worth not less than $8,000,000 — a sum fully equal to the value of all the taxable property now in the county. My taxes last year [1870] were three times as great as the year previous.

3. THE RECONSTRUCTION MILITIA

Martial Law in Arkansas

Harrell, *The Brooks and Baxter War*, pp. 86, 87. Copied from Clayton's letter books. The order was directed to Gen. S. W. Mallory, in command of the Arkansas militia. [1868]

SIR, — I am instructed by the Governor to say, that as soon as Gen. Catterson reaches you, you will proceed at once to arrest the parties [33] whose names have been sent to you, as well as any other outlaws. He thinks you can safely *execute many of them*. It is absolutely necessary that some examples be made. . . It may be desirable to have the troops here, by the first of January, if the thing can be safely done. There will be a large *Democratic Convention* here at that time, and the *militia* may be needed as *delegates*. He thinks you have acted wisely in disbanding the colored troops, under the circumstances. [1]

The White Militia in Arkansas

Harrell, *Brooks and Baxter War*, pp. 75-83. Col. William Monks and sixty men came from Missouri and were enlisted as Arkansas militia. For his work he was thanked by the legislature. The entire State was for four months ravaged by the Governor's militia. The second selection here given consists of a part of a summary made from the records by Judge Harrell in 1893; the other is of 1868-1869. [1868, 1869]

[1] MONKS and his men then commenced scouting the country, destroying forage, riding over yards, feeding and camping around houses. They took upper and sole-leather, tobacco, horse-shoes and nails, without paying for them, from Harlen's store; made a guard-house of Harlen's dwelling, and compelled his wife to cook for them and the prisoners. On Saturday Monks called all the men who were in favor of killing the prisoners to fall into line. About seventy responded; but ten or fifteen refused to fall in. At this the sheriff protested, and said, "They are my men, and I do not want them hurt." Monks replied that "he would do as he d—d please," and ordered

1. The negro troops had rebelled against General Mallory.

Capt. Bryant and U. B. Bush to bring forward the men who committed the murder by Monday at 2 o'clock in the afternoon, or the prisoners should be killed. A scout brought in Archer and Hunter, who had been arrested at their homes, but left there — Hunter, on account of sickness, and Archer, because of his *blindness*. The sheriff then went away, leaving the prisoners in the hands of the mob, and never went back to see what had become of them, saying he was afraid they would kill *him* also.

Saturday, at 2 o'clock p. m., they broke up camp at Harlen's and moved to Col. Tracy's place. They took possession of the house and drove his family into the kitchen, ordering his wife and mother-in-law, Mrs. Pickrue, to go to cooking, or they "would burn the last d—d thing on the place." They chained U. B. Bush with a log-chain upon one of the beds, and pitched into Tracy's papers and books, and made a general smash of them; tore up his buggy and threw it into a mill-pond; took all the mill-irons, augers and tools they could find, and threw them away; fed away and destroyed about 4,000 bundles of oats; about 200 bushels of corn, and cut and destroyed corn yet in the field; took and destroyed some thirty bee-hives; killed all the chickens, and smashed up things generally, to the damage of Tracy, of between seven hundred and a thousand dollars.

They took out Capt. Bryant; hung him up by the neck, and told him if he did not say that certain parties killed Mason, they would kill him, but if he would implicate certain parties, he should be released. At last, to save his life, he told them any and everything they asked him — so he told Bush, when they again turned him into the guard-house. Said he to Bush: "I have been nearly killed by these men, and to save my life I have told an awful tale. I had to tell them that you did assist in killing Mason, and the only chance for you, is to do as I have done, — lie out of it the best you can, and get out of this place."

Bryant was sent out with an escort, and they reported that he "made his escape." They arrested one B. T. Deshazo, a

very harmless citizen, and tied a rope around his neck, surrounded him with pistols cocked, and told him if he did not acknowledge that Col. Tracy, Capt. Tracy, T. W. Baker, U. B. Bush, and Capt. Bryant did the murder, they would kill him; but if he would tell, they would turn him loose. He protested to the last that he knew nothing about it. . . They abused him very badly. . .

Things went on this way, and they had prolonged Bush's life, until about dark, Monday night, when Pink Turner, the deputy sheriff, arrived with a writ of *habeas corpus* for the prisoners (issued by Hon. Elisha Baxter, Judge of the Third Judicial Circuit), which Monks and his men, at first, voted unanimously to disobey, saying that they intended to kill ten men for Mason, and had three who were already fat enough. Some time after they refused to obey the writ, a squad of them found some newspapers in the house and made caps of them, and started up the road, in the direction of Salem, saying they were "Ku-Klux." Directly after they left, Monks told the Deputy Sheriff that he would obey the writ, and the prisoners were at his command. The Deputy Sheriff then took U. B. Bush and J. H. Tracy, and started for Salem, saying that Tracy should not be hurt, but saying nothing about Bush. When they had proceeded about two miles, they were met in the road by the men with paper caps, who made no halt, but rode directly up to them and made efforts to seize the bridles of the prisoners' horses. The Deputy Sheriff caught J. H. Tracy's horse, and whispered to Tracy to run with *him*. They ran, leaving Bush in the hands of the men. After they had fled a short distance, Tracy heard Bush pleading for his life, and directly they heard firing. Bush's body, pierced with three balls, was found, at daylight next morning, near the spot where he was taken away from the Deputy Sheriff. . .

[2] Richard Coley, over sixty years old, met a gang of militia in the road, when he turned his horse or mule and tried to get away from them. He was shot dead and left in the road. John Thorp was the first man they took out to shoot, by order of

Upham's military commission, upon the charge that he was Captain of Ku-Klux. There was never a man's life begged for as was his. He was shot and buried without a coffin. A young man named Rogers, at Cotton Plant, engaged to be married, was shot to death by orders of Upham, after he had paid Rosa [a militia officer] three hundred dollars. James Bland was taken at midnight from the side of his wife and child, and killed without trial, even by a commission. Charles Ruddock, the school teacher, was taken from his room at night and killed without any trial. Dr. Marquis D. McKenzie, a favorite physician and leading citizen of the county, was taken out of his house in the evening by Upham's men and shot, and his remains thrown into White River. Bartlett Y. Jones, a well-known citizen, was taken out the night Dr. McKenzie was, and killed.

Negro Militia in Arkansas

House Ex. Doc. no. 209, 42 Cong., 2 Sess., p. 23. Report of T. W. Morrison, 2nd Lieutenant, 16th Infantry, U. S. Army.

[January 29, 1872]

THIS mob was composed of negroes from the plantation several miles east of the town, and of members of the colored militia companies stationed at Lake Village [Chicot County, Arkansas]. Those from the plantation numbered over one hundred men, were mounted and armed, and made their entrance into town . . at a gallop, firing off their weapons as they galloped about the town, cursing and making threats to avenge the murder of Wynn [negro]. Dismounting, they tied their horses to fences and trees in the town, and soon a mob numbering two hundred men collected in front of Garrett's grocery, where Wynn was killed. The grocery was immediately broken open, and the mob entered and destroyed everything of value. After obtaining the keys of the jail from the sheriff, the mob entered the jail, secured Sanders, Garrett, and Dugan, and proceeded with them to the edge of town, where they murdered them. Then many negroes from the plantation left the town. Others remained about the town during the day and night and the

following day, as a mob, in full possession. Threats made by the mob led to fears that they would commit other acts of violence, and the white citizens of the county apprehended a recurrence of mob violence in the absence of a reliable military force, should any serious difficulty occur wherein one of the parties is a negro. The negroes have been defiant in their conduct since, in the belief that crimes committed by them as a mob will not subject them to arrest, trial, and punishment. The effect is that there is great uneasiness among that class of white people who are interested in having peace and quiet in their midst. Law and order is not expected to exist in the county as long as they are under the humiliating oppression of negro supremacy obtained by mob violence. The law seems to be powerless to punish the robbers and murderers of this bloody tragedy. There is fear of the consequences of prosecution. No arrests have been made.

The county has paid out the sum of seven thousand dollars for actual services of the men belonging to the militia organization . . in co-operating with the mob of negroes in the outrage committed on December 15. Walker, the sheriff of the county, is a colonel of a militia regiment, having three full, irresponsible negro militia companies organized in the county, and had in the town of Lake Village, on the 14th and 15th days of December, a part of three companies — in all, two hundred men — armed with pistols and shot-guns, as a force to protect the three prisoners named from injury at the hands of a mob. This guard did not make any resistance to the mob. The fact is, they were a part of the mob throughout, from beginning to end. On the 17th December, the militia force was reduced to fifty men by the sheriff, which number remained about the town up to the time of the arrival of a detachment of fifteen white men of the "Governor State Guards," from Little Rock, Arkansas, commanded by Lieutenant Grover, (on the 7th of January), when they were further reduced to ten men, and retained until the 16th instant "as a conciliatory measure to the colored people."

An Experience with Governor Holden's Militia

Outrages in the Southern States, part ii, p. 4. Statement of Lucien H. Murray. More than a hundred similar statements were made. Governor Holden was impeached and removed from office on account of the use he had made of the militia. [1870]

He then asked me if I did not see Adolphus Moore tie a rope around Outlaw's neck the night he was hung. I told him I did not. He asked me what I saw that night. I stated what I have stated here about what I have seen. He then told me I was telling him a damned lie. I told him I was telling the truth. He then said, "If you don't tell me all about it, I will break your damned neck." I told him, "I can't help that." Says he, "Go on back to your quarters; I will have it all out of you. If I can't get it one way I will get it another." It went on that night till about one o'clock; then Colonel Bergen came to my tent with a candle in his hand. I had not gone to sleep. I raised up my head. Said he, "Is that you Murray?" Said I, "It is," and he walked back to his tent. In a short time he came back again without any candle, touched me on my feet, and told me to get up and come out. I asked him if I could put on my shoes. He told me, "No, you won't have any use for them long." I went out and he took me into his tent with three other men. They all had pistols. He told me I must now make a confession; if I did not he would blow my damned heart out. . .

He told me then, "You are a damned liar," and got up and all four of them cocked their pistols, and he told me if I did not confess he would blow my heart out. . .

I told him I had nothing to confess. "Well," said he, "Patton and Rogers, . . they knew nothing till they were hung up; then they could tell all about it, and you must do the same." He went on to say that he had affidavits filed in his office, that had been made that I did know all about the hanging of the negro. I told him I could not tell him anything. Then he put a rope about my neck, led me up to a tree, threw the rope over a limb and asked me if I was ready to make my confession. I told him I had no confession to make. Then they drew me up off the ground, and let me hang there a little while — not

long. . . Choked me pretty bad; . . it did not hurt me. Then let me down and asked me if I was ready to confess; I told him I had no confession to make. Said he, "If you don't confess I will break your damned neck;" and he gathered the rope again, and he and another man pulled me up very roughly, and suspended me a great deal longer than he did before; I can't tell how long; I hung there till I was unconscious; suffered all the pain till I became unconscious. . . When I came to, I was leaning or sitting up against the tree, and a few men were rubbing me.

The Militia in South Carolina Elections

Report on Public Frauds in South Carolina (1877), pp. 674, 680, 686. Statements (1) of L. T. Levin, (2) of John B. Hubbard, and (3) letter of J. W. Anderson — all radicals and prominent officers of the militia and constabulary. [1870]

[1] THE entire militia, as organized and armed, was composed of colored men, with the exception of a few white officers. During the year 1870 there was organized fourteen full regiments, of nearly one thousand men to each regiment. There was issued to the above regiments seven thousand rifle muskets (breech-loading) with the necessary equipments, consisting of bayonets, scabbards, cartridge boxes, etc., also a large number of Winchester rifles, including ammunition. The enrollment of the militia was accomplished at a large expense to the State. The real object of the enrollment was to give employment to the different local leaders while they were, in reality, organizing the party for the coming campaign. The number of enrolled militia was ninety-six thousand, 58,000 between the ages of 18 and 30, and 38,000 between the ages of 30 and 45. At one time there were two or three white companies armed by the Governor, but the colored militia became so much dissatisfied, on account of these few white companies receiving arms that Governor Scott issued an order calling in the arms in their hands. At least two-thirds of the amount paid on account of the militia was a huge fraud upon the State, and for no consideration, except for political services rendered.

[2] As Chief Constable, I was ordered by Gov. Scott to appoint certain Deputy Constables on my force as Captains over the State Guards or militia stationed and under full pay in several Counties in the State. Captain Mann was in charge at Abbeville and J. Ward Hayward at Edgefield. I think Captain Jackson was in command a portion of the time. They were all Northern men and brought here by Gov. Scott. I was ordered to assist the militia organization every way possible. The object was to have an active and efficient corps of organizers in the field. I knew that the militia was organized and armed for political purposes. It was understood that by arming the colored militia and keeping some of the most influential officers under pay that a full vote would be brought out for the Republicans and the Democracy or many of the weak-kneed Democrats intimidated. At the time the militia was organized, there was, comparatively speaking, but little lawlessness. The militia being organized and armed caused an increase of crime and bloodshed in most of the Counties in proportion to their numbers and the number of arms and amount of ammunition furnished them.

[3] *Yorkville, S. C., June 25th, 1870.*

Captain JOHN B. HUBBARD, Chief Constable, Columbia, S. C.

DEAR CAPTAIN: I am visiting some of the [Union] Leagues and intend to try and get into the convention and be elected to the Legislature. The Democrats are quiet now but playing possum. Some of them say they intend to organize all over the State against Scott's militia. I have it from good authority that the whites are receiving guns through the merchants and are secretly organizing. We can carry the County if we get Constables enough by encouraging the militia and frightening the poor white men. I am going into the campaign for Scott. I hear Hannibal White and some of the colored men are opposed to him. Will keep you posted.

Respectfully yours,

J. W. ANDERSON,
Deputy Constable.

4. POLITICAL METHODS OF RECONSTRUCTION[1]

Negro Voting System

Ku Klux Report, Alabama testimony, p. 381. Statement of General, now Senator, E. W. Pettus. [1871]

THE system is to make a door, either by men, or rails, or palings, through which all the voters are required to go. . . A crowd stands usually at the paling fence, on both sides, and the voters, white and black, have to pass, because generally there is but one place of entrance. . . Any white man is allowed to pass through without question, whether he belongs to one party or the other. The colored man, when he comes to this point of entrance, hands his vote, or it is taken, and it is inspected by another colored man stationed there for that purpose. He inspects the vote, and the man passes on, or he changes the ticket. That is the general system of voting in Alabama . . in reference to the colored people. If the negro has a democratic ticket, it is objected to by the man in command of the entrance; and sometimes I have seen controversies on the subject, but never any difficulty. . . But the vote is inspected, and so far as my observation goes, there is always an effort to change it, if it does not suit the man in charge of the gate. Sometimes it is changed, and sometimes it is not.

Registration and Election Laws

Nordhoff, *Cotton States in 1875*, pp. 66, 85. In Louisiana and Alabama. [1875]

IN the greater number of parishes the registration lists of 1874 show that the colored registered voters are more numerous, compared with the colored population, than the white registered, compared with the white population, taking the census of 1870 as a basis. For instance, in Plaquemines parish the registry lists show one white name for every seven and one-fifth

1 For methods employed by the whites in overthrowing Reconstruction see chapters XII and XIII.

of the total white population; but one black name for every three and one-eighth of the total colored population. But while I was in Plaquemines, out of a panel of 48 names drawn for jurors, from the registry lists of 1874, only twelve could be found. The other thirty-six were non-existent — that is to say, they were fraudulently registered names. In St. Charles the whites registered are one in three and a half, the blacks one in two and a half of the respective populations. In St. James, the white registry was one in four and a half, the black, one in two and a half, of their population. In St. Landry, where it was pretended that there was intimidation, white and black both registered one in four and a half of their population. In Carroll, the whites registered [one in] five and one-third, and the blacks [one in] three and seven-tenths, of their population. In Terre Bonne, the registered voters stood — white, [one in] four and seven-eighths; black, [one in] three and two-thirds, and so on. In many parishes the proportions were reversed; but in the greater number the colored men registered a larger proportion to their population than the whites to theirs. . .

The Alabama Registration and Election laws, made in 1868-'69, and unchanged until last winter [1874-5], formed one of the most perfect machines for political fraud that I have ever heard of. . . A complete registration of the State was made in 1868-'69. The lists then made were, by law, then placed in charge of the probate judges in the counties, and these were obliged thenceforth to place every one's name in the registry who applied for the purpose, and took oath that he was a citizen of the State and county, and had the requisite qualifications; and such application might be made at any time.

No provision was made for any revision of these registration lists to strike off the names of the voters who died or removed; new names were added from year to year, or rather from day to day, for there was no set time for registration; it was possible even for a man to register under several different names. Moreover, lest any voter should neglect registration, it was provided that an inspector of election must register him, if required, on the day of election; and the names so registered

were afterwards sent to the probate judge. It is easy enough to see that the registration lists so prepared, and never revised, were mere instruments to conceal fraud. That is to say they would have been the cloak for frauds at election if they had ever been used.

For fear that they might, under some conceivable circumstance, be used to detect fraudulent voting, an amendment to the Registration Act, passed by the Legislature, March 3, 1870, enacts this astounding provision: "That it is the intent and meaning of this act (namely the Registration Act) that no registration lists shall be used by any inspector, or any other officer of election, on the day of election for the purpose of determining who may or may not vote; and any person attempting to interfere in any manner with any other person who may desire to vote, shall be deemed guilty of a misdemeanor, and punished in the same manner as now provided for in the election laws."

Bacon and Hams in Politics

(1) *House Report no. 262, 43 Cong., 2 Sess.*, p. 1299. Report of Captain W. T. Gentry, 19th Infantry, U. S. A. (2) Nordhoff, *Cotton States in 1875*, p. 88. Under pretense of relieving destitution caused by floods in Alabama the radical members of Congress from that State secured an appropriation from Congress. The appropriation was made in the spring, but the bacon was held until the fall elections and distributed mainly in districts never flooded. The War Department investigated and took back much of the bacon. [1874]

[1] THESE reports are by no means as complete as they should be, but by reference to them it will be seen that in the first congressional district, M. G. Candee issued in Wilcox and Monroe Counties 24,902 pounds; G. V. Boynton, in Dallas County, 19,021 pounds. . . In the second congressional district, Holland Thompson and J. C. Hendrix issued at Montgomery, for various localities, 14,151 pounds, and forwarded to Lowndes County, 8,283 pounds; Butler County, 4,235 pounds; Dale County, 2,482 pounds; Barbour County, 4,527 pounds; Bullock County, 5,169 pounds; Pike County, 2,066 pounds; Henry County, 1,036 pounds. Of this, 5,248 pounds sent to Eufaula, for Barbour and Henry Counties, and 1,991 pounds sent to

Pike County have been reclaimed by the government. In the third congressional district G. W. Braxall reports that he transferred 3,000 pounds to Clay County, 2,000 pounds to Randolph County, 3,000 pounds to Coosa County, 3,500 pounds to Elmore County, and 1,000 pounds to G. P. Plowman, by order of Hon. Charles Pelham, and issued 7,500 pounds in Talladega County. The receipts, however, transmitted with this report, only account for 6,500 pounds. . . W. H. Betts, of this district, has made no report; but of the amount consigned to him by Governor Lewis's agent, 9,792 pounds at Opelika, and 2,390 pounds at Seale Station, have been reclaimed by the Government.

In the fourth congressional district, J. W. Dereen reports having issued 8,606 pounds in Marengo County, and forwarded to Autauga County, 4,915 pounds; Bibb County, 1,000 pounds; Choctaw County, 3,568 pounds; Greene County, 6,000 pounds; Hale County, 6,500 pounds; Perry County, 1,000 pounds; Pickens County, 4,628 pounds; Sanford County, 4,000 pounds; Shelby County, 1,000 pounds; Sumter County, 6,000 pounds; Tuscaloosa County, 4,918 pounds. In the fifth congressional district, J. H. Austin reports having forwarded to Walker County, 2,178 pounds, and having issued the balance, 29,100 pounds.

[2] As to the use made of government bacon, Perrin [deputy U. S. Marshal] testified: "I issued the bacon for Monroe County. Previous to doing so, a report was circulated among the negroes that in order for them to obtain bacon they would have to vote the straight Republican ticket; and if they received bacon, and afterwards refused or neglected to vote the said Republican ticket, they would forfeit their rights in law. As I was a candidate for the Legislature upon said ticket, I did not consider it necessary to correct this report. . . It was extensively circulated through Monroe, Conecuh, Clark, and Wilcox Counties that a barbecue would be held at Monroeville on election day, and that all negroes who would attend and vote the Republican ticket would receive bacon enough to last them a year. This induced many to come from adjoining counties

to Monroeville and vote on said day. The barbecue was held and largely attended. . . At least five hundred illegal votes were cast there for the Republican ticket."

Voting Early and Often

Wallace, *Carpet Bag Rule in Florida*, p. 338. Wallace took part on the Republican side, in the campaign described. [1876]

THE colored brothers, now following the instructions given them by Stearns [1] through Saunders, began to vote early and often. From the Georgia line to the Capitol was a distance of twenty-miles, with three or four precincts between those points. They started early in the morning and voted at every precinct on that line of march to the capital, and each time the same man would vote under an assumed name. It can be fairly estimated that at least five hundred votes were secured in Leon county alone by this method. How much of this repeating was done in other parts of the State we shall not attempt to say; but this was a general order to be observed throughout the State, when it could be done without detection. The counties were not then divided into precincts as they are now, and therefore the voter could cast his ballot anywhere in the county. At one of the Lake Jackson polls, where Stearns had worked up considerable influence through his Government land information, the handy Superintendent, Joseph Bowes, had camped all night, carrying with him a cart-load of rifles. He had notified the colored people to meet him out there, which was done. He informed them that Governor Stearns had sent the rifles out there for their protection. On the contrary, the guns were carried out for his protection in case the whites should detect him in his contemplated frauds. Bowes had prepared in the office of the Tallahassee *Sentinel*, the official organ of the Government, several hundred tickets with the names of the Republican candidates printed in very small type. The tickets were about an inch and a half long by an inch wide. He opened the polls on the morning of election, before the hour designated, and before the whites arrived, and deposited in the

1. Governor M. L. Stearns, candidate for re-election.

box as many of these tickets as he desired. When the whites arrived they felt confident that something was wrong, but what it was they could not exactly tell, but at the close of the polls, when the ballot box was opened the secret was revealed. Several hundred of these "little jokers" bounced out and they were counted just as though they had been honestly voted. The whites protested against counting them, but Bowes and the balance of the board said that they were in the box and must be counted. A large majority was by this means sent in for Stearns, from this poll, and Bowes was lionized by the Governor and his managers for this heroic act.

A "Little Joker"

House Misc. Doc. no. 31, part ii, 45 Cong., 2 Sess., p. 90. A "little joker" was a ballot printed with small type on thin paper in order that several might be folded within a regular ballot and deposited without detection. This one was used in the Florida election of 1876. The scheme was later used by the whites to overcome negro majorities. The ticket below is the size of the original. [1876]

Presidential Electors.—Frederick C. Humphries, Charles H. Pearce, William H. Holden, Thomas W. Long.

For Governor.—Marcellus L. Stearns.

For Lieutenant-Governor.—David Montgomery.

For Congress, First District.—William J. Purman.

For the Assembly, Leon County.—William F. Thompson, William H. Ford, Edmund C. Weeks, Denard Quarterman.

The Ghost of the Confederacy

House Report no. 262, 43 Cong., 2 Sess., p. 181. Statement of a white Democrat, in Alabama. The fear of Davis was thus kept up as long as he lived. [1874]

A FEW days after the election [1874], the Hon. Mr. Pelham, M. C., who was here at the election, passed up through my neighborhood. The negroes knew him; I didn't. He had canvassed the district with the candidate here. I had a couple of negroes with me on the side of the road cutting a tree when

Mr. Pelham passed. . . They asked him how the election had gone, because they would not believe what I had told them. He told them, and said, "Jeff. Davis will be in Montgomery on a certain day," naming a certain Monday, and "that he was going to organize the Confederate Congress." That scared them desperately; and one of them said the white people would not allow him to hunt on their land. They thought that was an infringement, and appealed to Mr. Pelham. He said: "Yes; and that will always be the case if you allow the democrats to get ahead of you about carrying offices."

Why Adam Kirk was a Democrat

House Report no. 262, 43 Cong., 2 Sess., p. 106. Statement of an Alabama negro. [1874]

A WHITE man raised me. I was raised in the house of old man Billy Kirk. He raised me as a body servant. The class that he belongs to seems nearer to me than the northern white man, and actually, since the war, everything I have got is by their aid and their assistance. They have helped me raise up my family and have stood by me, and whenever I want a doctor, no matter what hour of the day or night, he is called in whether I have got a cent or not. And when I want any assistance I can get it from them. I think they have got better principles and better character than the republicans.

Fear of Spells and Charms

Senate Report no. 527, 44 Cong., 1 Sess., p. 1052. Statement of Reuben Davis of Mississippi, former member of Congress. [1875]

THEY have intimidated them by telling them if they should dare to vote with the white people, democrats, that the colored people would — as they always believed in what they called "spells" or "charms" — that they would fill them with lizards and scorpions and snakes, and bring diseases upon them, so that they would die; that they would be overthrown in their social relations; that if they got sick they would not visit them; if they died they would not accompany their remains to the grave. Very large numbers of colored people have told me often that

they have desired to vote with the white people, but said they were afraid to do it; afraid of their own people, and afraid they would be murdered; they would have these spells put upon them, and they would be excluded from all social intercourse, and that they could have no intercourse with the white people, and that it would be a system of ostracism they would be unwilling to encounter or endure.

Negro Democrats in South Carolina

Senate Misc. Doc. no. 48, 44 Cong., 2 Sess., pp. 592, 597, 959, 963. Statements made by negro Democrats. Numbers of negroes voted for Hampton in 1876. [1876]

[1] THERE was a woman down there, and she run up to the colored men [Democrats] that had red shirts on, and there was a colored man who had been living in Isam Mitchell's house, and three colored women tore his shirt off from him. . . They just knocked him from one side to the other; and Ralph Nowell, he came up at the time and said, "See here, what are you doing with this man?" And they said, "He is a Hampton man, and he has got on a red shirt." Ralph said, "See here, its no difference what he has on, you can't interfere with him;" . . he picked up his hat and put it on and went off without his shirt. They tore every rag off from him, and the red shirt too. . .

[2] They said . . the Yankees are coming up here, and all you that voted the democratic ticket you will be shot down by the time you do it; and a good while after I voted, sure enough there was a parcel of Yankees come down there, and I thought they had come down there to shoot me sure enough, and I didn't know any better till I saw them coming up in the wagon, and Anderson and myself was going into the swamp.

[3] Then I were disbanded from church, for they said they wanted no democrat to come into church . . and my wife were treated the same. . . They slipped away from their wives and others, and numbers of them on account of their wives, that would have voted the democratic tickets, that were 'buked so by their wives and other women that they were feared to vote, and up to this very day there's one colored man that his wife

has left him, and has not had anything to do with him in two months. Some came to me on the day of election and got tickets and slipped in and voted the democratic ticket, that I had no more idea that they were going to vote the democratic ticket than that I am sleeping now.

[4] Good gracious alive, if abusing would kill me I would have been dead long ago. But I didn't pay no attention to it at all. Me and my daughter and another girl that was staying with me, they wanted to go to a party, and I says, "I don't want to go." And she said, "Let's go;" and I said, "Let's not go for they will get into a row and abuse me." And she said, "I reckon not," and so prevailed upon me to go; and when I went, the first man I approached, he says, "You God damned democrat, I have a good mind to just pull my pistol out and shoot you." . . I wanted to be peaceable. There was one man, he says to me, "You damned democrat nigger, you can't come in my house for nothing. If you do I will kick you out." I says, "From all accounts I don't spect you will have any house very long, because I know you haven't paid for no house, and when your year is up, if you don't do right you will have to leave." Says I, "I am twenty-one, and I am going to vote the democratic ticket anyhow; and I think that I feel it my duty to do so; and if I can't support my family the way I am going on, I want a change in the government. I never have got no good out of the republican party. I never have got ten cents out of the party."

Political Intimidation

Nordhoff, *Cotton States in 1875*, pp. 11, 22, 89, 93. [1875]

As to "intimidation," it is a serious mistake to imagine this exclusively a Democratic proceeding in the South. It has been practiced in the last three years [1872-1875] quite as much, and even more rigorously, by the Republicans. The Federal United States marshal in Louisiana has used cavalry to intimidate Democrats. Similarly, Federal officers confess they did in Alabama and elsewhere. The negroes are the most savage intimidators of all. In many localities which I have visited, it

was as much as a negro's life was worth to vote the Democratic ticket; and even to refuse to obey the caucus of his party caused him to be denounced as a "Bolter," and to be forsaken by his friends, and even by his wife or sweetheart. That there has also been Democratic intimidation is undeniable; but it does not belong to the Southern Republicans to complain of it. In North Carolina, a leading and intelligent negro told me that he and others of his race were opposed to the Civil Rights Bill, but they did not dare to let their opposition be known, because, as he said, they would at once have been denounced among their people, and would have lost all influence with them. In Wilmington, a young negro lawyer was mobbed by his people, because he ventured to oppose corrupt candidates for office. This was told me by a colored man. . .

In their political relations among each other, they are as intolerant and unscrupulous as ignorant men suddenly possessed of political rights are sure to be. The caucus rules with a singular tyranny among them. The slightest assertion of political independence is resented. The restive negro's name is sent out through the country or district, with "Bolter" affixed to it; and this fixes upon him the stigma of treason. The church, his friends, the young women, if he is unmarried, all avoid him; and he is effectually under a ban of ex-communication. . .

Nor did the candidates confine themselves to verbal intimidation. One circulated an "order" to the colored people to vote for him, signed, "U. S. Grant, President." Another, J. S. Diggs, now and at that time county solicitor, [Dallas County, Alabama], and in May arrested under criminal indictment by the grand jury for embezzlement and bribery, circulated through the county a printed warning against his opponent:

REPUBLICANS, BEWARE!
Any one found with tickets with the
Bolter Silby's Name
on it will be prosecuted and sent to the
penitentiary.
J. S. Diggs, Solicitor, Dallas County.

Why the Whigs Became Democrats

Ku Klux Report, Georgia testimony, pp. 760-779. Statement of Benjamin H. Hill, later senator from Georgia. So much did the Old Whigs dislike the Democrats that the white party was during Reconstruction called the Conservative party, not Democratic. Not until 1906 was the term "Conservative" dropped as a part of the name of the white party in Alabama. [1871]

THE very best class of people, especially the old whigs and the Union men . . objected to the reconstruction measures of Congress, because of the fact that these measures disfranchised indiscriminately our white people, and enfranchised their slaves, and thereby compelled the former intelligent master of the slaves, to submit to a government to be formed of a constituency composed of their slaves and such persons as chose to act with them. It was, therefore, a sense of self-respect, not any desire to injure the negro or to resist the government, and not any desire even to not submit to reconstruction, but it was a sense of self-respect and of honor that prevented them from accepting the reconstruction measures. . . As the result of that feeling, of that sense of self-respect, many of the old whigs and "Union" democrats were driven where they did not want to go, into temporary affiliation with the democratic party. . .

I tell you frankly that after the war ended, we, the old whigs and the Union men, expected to take control of affairs down here; that was our expectation, and I think we would have done it if you had allowed us to do so. I will tell you candidly that I think very likely if the republican party had been . . magnanimous to the old whigs after the war, in extending us privileges, . . it might have built up a republican party in the South, and given us the control of this country. Then you would have forced upon our people the conviction that the democracy was responsible for the war, for all its consequences, and for all the losses that followed; but, by pursuing a different policy, you convinced our people that the most horrid accounts given by the secession democrats of the purposes of the northern people were true. The old whigs and Union men before the war utterly scouted the idea that there was any desire on the part of the northern people to oppress us. . .

I have done more writing since the war upon that subject than anybody else, and my writings are full of that. . . I think, my opinions were responded to unanimously by the whigs; every old whig paper in the State, and every old Union democratic paper in the State, was in accord with those sentiments uttered by me until, I will say, twelve months ago [1870]. . .

I advised [1866] our people to go into a new party arrangement if possible. I used this expression: . . We will not go to the democracy, because if secession was wrong the democratic party instigated it; and if secession was right, the democratic party of the North joined in the war to put it down. In no event, therefore, should we of the South trust the democratic party. . .

We old whigs said, Well, you see all the evils of secession that we prophesied have become true; now we suppose the people will believe us, and not believe the old secession democrats, who wanted to drink all the blood that would be shed by the war; we suppose now that the old whig party will arise from its ashes in some form, at least what we call the anti-democratic element. . .

But . . Congress came in, lumped the old Union democrats and whigs together with the secessionists, and said that they would punish us all alike; would put us all alike under the negro. That naturally created a sympathy between us and the secession democrats. Congress by that act prevented us from saying to the secession democrats that all they had said was untrue; that the northern people had no desire to oppress them, because the acts of Congress proved that they were right. I wish to state once more, as an evidence that the old Union democrats and the whigs might have come to the surface and controlled this country, we elected an old Union whig as the first governor in 1865, whom the democrats had repeatedly rejected before the war, whom we never could elect before the war.

5. STATE AND NATIONAL POLITICS

President Grant and Mississippi Politics

Annual Cyclopedia, 1869, p. 457. Judge Louis Dent, Grant's brother-in-law, was the candidate for governor nominated by the reform element of the Republican party in Mississippi. The first letter is from Grant to Dent and the second is Dent's reply. [1869]

Long Branch, August 1, 1869.

[1] DEAR JUDGE: I am so thoroughly satisfied, in my own mind, that the success of the so-called Conservative Republican party of Mississippi would result in the defeat of what I believe to be the best interests of the State and country, that I have determined to say so to you. . . I know or believe that your intentions are good in accepting the nomination from the Conservative party. I would regret to see you run for an office and be defeated by my act; but, as matters now look, I must throw the weight of my influence in favor of the party [Radical] opposed to you. . .

[2] Is it reasonable to suppose that a people, having the free choice of their representatives, would elect for their rulers a class of politicians whose aggressive and hostile conduct hitherto has rendered them peculiarly obnoxious and disagreeable? This is the charge made by the people of Mississippi against the radicals. . .

This charge is not made because they fought against the South and secession, for many of that class fought on the side of the South. It is not made because they are of Northern birth and education, for many men of Northern birth and education and of the Northern army are with us in antagonism to this obnoxious party. It is not because they are Republicans, for their antagonists were among the first in the South to organize on the Republican platform and to advocate the civil and political equality of all men, were sent as delegates to Chicago, and for their consistency and constancy were rewarded by you with offices of truth and honor.

But this charge is made . . because the proscriptive antecedents and aggressive policy of these politicians toward the people of Mississippi have made them the objects of peculiar abhorrence. That policy consists not only in the continual advocacy of proscription, but . . such revolutionary doctrines as excite and direct against the white men of the South, and their families a most dangerous animosity . . which, with continuation of the same fuel, would inevitably lead to a black man's party and a war of races.

Neither are such doctrines preached with an honest desire to ameliorate the condition of the freedmen, or promote the ends of peace, or strengthen the Republican party in the South, but solely to alienate from the planter the time-honored confidence and affection of this race, in order that the new political element under the banner of Republicanism, might be entirely controlled and subordinated to their own purposes of power and aggrandizement; and to this class of men, whom you foiled in their attempt to force upon the people of Mississippi the odious constitution rejected at the ballot-box, you now give the hand of fellowship and support, and spurn from you that other class who, accepting the invitation of the Republican party, in good faith, came *en masse* in Virginia and Tennessee, as they will come in Mississippi and Texas, to stand upon its platform, and advocate its principles.

Division among the Arkansas Republicans

Annual Cyclopedia, 1869, p. 30. A protest signed by eighteen members of the Arkansas legislature. [1869]

WHEREAS, In the bad management of our State government under the unwise administration of Governor Powell Clayton, and in the rash, reckless, and improvident legislation of the General Assembly, under the control of the Governor and his partisans, the Republican party of Arkansas has received wounds, from the effects of which the most energetic and untiring efforts of its true friends and defenders can alone rescue it, and save it from threatened defeat and overthrow: therefore, . .

We deem it proper to enumerate the following among the more prominent causes of complaint.

1. The criminal abuse of power and dereliction of duty on the part of the Governor as commander-in-chief of the militia forces of the State, under the late reign of martial law, whereby that which was intended by its friends and advisers as a wise and wholesome measure of safety to the government and safety to the private citizens, has been turned into a means of wrong, crime, and oppression.

2. The criminal and corrupt mismanagement of our great and important railroad interests, whereby a large portion of the State has been entirely ignored and overlooked in the dispensation of "state aid," and nearly all of the leading authorized routes of the State been seized upon by an organized "ring" of penniless adventurers . . who, in connection with the board of railroad commissioners under the control of the Chief Executive, have been made the recipients and beneficiaries of all the benefits of the "loan bill," by which some thirteen millions of dollars have been awarded.

3. The improvident, not to say corrupt, management of the funding bill, by which a debt of several millions of dollars, . . which the State neither legally nor morally owes, has been assumed and funded without the authority or consent of the people, and contrary to the Constitution of the State.

4. The general spirit of reckless expenditure, extravagant appropriation, which has characterized the administration of the government in all its departments, whereby the annual expenses of the State government, which the representatives of the party promised the people, in their speeches and through their press during the late presidential canvass, shall not exceed two or three hundred thousand dollars, have run up to the enormous and almost incredible sum of a million and a half dollars per annum.

Reform Republicans in Arkansas

Annual Cyclopedia, 1872, p. 26. In each Southern state, between 1868 and 1872, the reform element in the radical party gradually separated from it. [1872]

And whereas, A large number of persons were indicted in the Federal courts in this State for a most flagrant violation of the election laws, and President Grant, upon the application, and in the interest of such indicted criminals and their accessories, suspended honest and efficient officers, for no other reason than that they would rigorously enforce the law, and allowed and permitted such indicted criminals to designate and name the marshal to select the jury by which they were to be tried, and the attorney to prosecute them for such offences, whereby the criminals were turned loose without punishment, and the law trampled under foot, and fraud and crime encouraged, and has seen fit to take sides with and support the corrupt State-house ring in their iniquities against the people: *and whereas,* it is now evident that President Grant will receive the nomination for President by the convention of office-holders to be held in Philadelphia: therefore, be it

Resolved, That we emphatically condemn the course of the President, in his intermeddling with Arkansas affairs, in the interest of crime and disorder, and decline to send delegates to the Philadelphia Convention. . .

Resolved, That we most cordially endorse the nomination of Horace Greeley and B. Gratz Brown, and the platform upon which they stand, . . therefore, to the end that a free people may be disenthralled from the unjust and unlawful burdens and calamities which are imposed upon them, we cordially invite all the friends of free government, law, order, and justice, to co-operate with us in this fearful but determined conflict which a wronged and a robbed people are waging against corrupt and despotic rulers, under Greeley's rallying cry of "honest men for office, and thieves to the rear."

Anything to Defeat Grant

Annual Cyclopedia, 1872, p. 546. Resolutions of the Mississippi Conservatives. [1872]

RESOLVED, That, to defeat the Administration of President Grant, and restore the Government to the path of freedom, peace, honesty, and economy, we are prepared to lay down all prejudices upon the altar of our common country; and, in obedience to the promptings of duty and patriotism, to clasp hands with the friends of constitutional liberty in the North . . and help to the presidency of the United States Horace Greeley and B. Gratz Brown.

Resolved, That our policy should aim at local self-government and not at centralization; that the civil authority should be supreme over the military; that the writ of *habeas corpus* should be zealously upheld as the safeguard of personal freedom; that the individual citizen should enjoy the largest liberty consistent with public order, and that there shall be no Federal supervision of the internal policy of the several States and municipalities, but that each shall be left free to enforce the rights and promote the well-being of its inhabitants by such means as the judgment of its people shall prescribe.

Resolved, That it is our solemn conviction that the overthrow of the Administration of President Grant is the one vital necessity of the hour.

Liberal Republican Demands

McPherson, *Handbook, 1872*, pp. 207, 209. Extracts from the Cincinnati Platform. [1872]

3. WE demand the immediate and absolute removal of all disabilities imposed on account of the rebellion, which was finally subdued seven years ago, believing that universal amnesty will result in complete pacification in all sections of the country.

4. Local self-government, with impartial suffrage, will guard the rights of all citizens, more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and the freedom of person under the protection of the habeas corpus. We demand for

the individual the largest liberty consistent with public order, for the State self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.

Republican Platform, 1872

McPherson, *Handbook, 1872*, p. 204. Extracts relating to Reconstruction. [1872]

2. THE recent amendments of the national Constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be intrusted only to the party that secured those amendments.

3. Complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal Legislation. Neither the law nor its administration should admit any discrimination in respect of citizens by reason of race, creed, color, or previous condition of servitude. . .

12. We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violent and treasonable organizations in certain lately rebellious regions, and for the protection of the ballot box; and therefore they are entitled to the thanks of the nation.

Politics in Alabama, 1874

Annual Cyclopedia, 1874, p. 15. Conservative platform. The Southern Conservative platforms were remarkably alike in 1874. [1874]

3. THAT the so-called civil rights bill recently passed by the Federal Senate, and now pending in the House, is a flagrant and dangerous invasion of the ancient and conservative principles of personal liberty and free government, and is a palpable violation of the Federal Constitution, and presents an issue of vital moment to the American people, and calls upon them to decide at the ballot-box whether they will or will not be

coerced to absolute, social as well as political, equality of the negro race with themselves. We view with abhorrence the attempt on the part of the Federal Government to take control of schools, colleges, hotels, railroads, steam-boats, theatres, and graveyards, for the purpose of establishing negro equality, and enforcing it under numerous penalties of fines, damages, and imprisonment.

4. Civil remedies for the protection of civil rights are adequately provided by the common law to all races of men in this State, and added to these are social remedies for social wrongs, which every race and class of men are perfectly left free by the laws to adopt for themselves; so that the negro race has the same means of protecting itself against the invasion of its civil rights under the law, and against intrusion upon its so-called rights and privileges by the white race, that we have to preserve and protect ourselves and families against the intrusion of the negro race. Under these laws, the race to which in the providence of God we belong has achieved an eminence among the people of the world, which is our proud inheritance, and has become to us a trust we cannot resign without dishonor. We therefore denounce as a violation of the letter and spirit of our Constitution, and as dishonoring to the genius of our race, all legislative enactments which attempt to convert into crimes the rules and maxims of our social intercourse, to which we are indebted for the excellence and glory of our civilization, or to punish with degrading penalties our refusal to admit an ignorant and barbarous race to equal participation with our families in our social institutions.

Democratic Views on the Southern Question, 1876

McPherson, *Handbook, 1876*, pp. 215, 218. Extracts from (1) National Democratic platform, and (2) Tilden's letter of acceptance. [1876]

[1] REFORM is necessary to rebuild and establish in the hearts of the whole people, the Union, eleven years ago happily rescued from the danger of a secession of States; but now to be saved from a corrupt centralism which, after inflicting

upon ten States the rapacity of carpet-bag tyrannies, has honeycombed the offices of the Federal Government itself with incapacity, waste, and fraud; infected States and municipalities with the contagion of misrule, and locked fast the prosperity of industrious people in the paralysis of "hard times."

[2] An accessory cause enhancing the distress in business is to be found in the systematic and insupportable misgovernment imposed upon the States of the South. Besides the ordinary effects of ignorant and dishonest administration, it has inflicted upon them enormous issues of fraudulent bonds, the scanty avails of which were wasted or stolen, and the existence of which is a public discredit, tending to bankruptcy or repudiation. Taxes, generally oppressive, in some instances have confiscated the entire income of property and totally destroyed its marketable value. It is impossible that these evils should not re-act upon the prosperity of the whole country. The nobler motives of humanity concur with the material interests of all in requiring that every obstacle be removed, to a complete and durable reconciliation between kindred populations once unnaturally estranged, on the basis recognized by the St. Louis platform, of the "Constitution of the United States, with its amendments universally accepted as a final settlement of controversies which engendered civil war."

The Republican Standpoint in 1876

McPherson, *Handbook, 1876*, p. 210. Extract from Republican platform. [1876]

THE permanent pacification of the Southern section of the Union and the complete protection of all its citizens in the free enjoyment of all their rights, is a duty to which the Republican party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent constitutional amendments, is vested by those amendments in the Congress of the United States, and we declare it to be the solemn obligation of the legislative and executive departments of the Government to put into immediate and vigorous exercise all their constitutional powers for removing

any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political and public rights. To this end we imperatively demand a Congress and a Chief Executive whose courage and fidelity to these duties shall not falter until these results are placed beyond dispute and recall.

6. FEDERAL CONTROL IN STATE AFFAIRS

First Enforcement Act

Acts and Resolutions, 41 Cong., 2 Sess., p. 95. [May 31, 1870]

Be it enacted . . That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial sub-division, shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

Sec. 2. . . If by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also, for every such offense, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 3. . . Whenever, by or under the authority of the constitution or laws of any State, or the laws of any Territory, an act is or shall be required to [be] done by any citizen as a prerequisite to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act; and any judge, inspector, or other officer of election whose duty it is or shall be to receive, count, certify, register, report, or give effect to the vote of any such citizen who shall wrongfully refuse or omit to receive, count, certify, register, report, or give effect to the vote of such citizen, upon the presentation by him of his affidavit stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall for every such offence [be subject to the same penalties provided for in Sec. 2]. . .

Sec. 4. . . If any person, by force, bribery, threats, intimidation, or other unlawful means, shall hinder, delay, prevent, or obstruct, or shall combine and confederate with others to hinder, delay, prevent, or obstruct, any citizen from doing an act required to be done to qualify him to vote or from voting at any election as aforesaid, such person shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also for every such offense be guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned

not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 5. . . If any person shall prevent, hinder, control, or intimidate, or shall attempt to prevent, hinder, control, or intimidate any person from exercising or in exercising the right of suffrage, to whom the right of suffrage is secured or guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery, threats, or threats of depriving such person of employment or occupation, or of ejecting such person from rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, such person so offending shall be deemed guilty of misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 6. . . If two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court, — the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years, — and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit or trust created by the Constitution or laws of the United States.

Sec. 7. . . If in the act of violating any provision in either of the two preceding sections, any other felony, crime, or misdemeanor shall be committed, the offender, on conviction of such violation of said sections, shall be punished for the same with such punishments as are attached to the said

felonies, crimes, and misdemeanors by the laws of the State in which the offense may be committed.

Sec. 8. . . The district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, arising under this act, except as herein otherwise provided, and the jurisdiction hereby conferred shall be exercised in conformity with the laws and practice governing United States courts; and all crimes and offenses committed against the provisions of this act may be prosecuted by the indictment of a grand jury, or, in cases of crimes and offences not infamous, the prosecution may be either by indictment or information filed by the district attorney in a court having jurisdiction.

Sec. 9. . . The district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as has cognizance of the offense. And with a view to afford reasonable protection to all persons in their constitutional right to vote without distinction of race, color, or previous condition of servitude, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States, and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this

act; and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act as they are authorized by law to exercise with regard to other offences against the laws of the United States.

Sec. 10. . . It shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person deprived of the rights conferred by this act. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this act, they are hereby authorized and empowered, within their districts respectively, to appoint in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties, and the persons so appointed . . shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the fifteenth amendment to the Constitution of the United States; and such warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

Sec. 11. . . Any person who shall knowingly and willfully obstruct, hinder, or prevent any officer or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from

the custody of the officer or other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offenses, be subject to a fine not exceeding one thousand dollars, or imprisonment not exceeding six months, or both, at the discretion of the court, on conviction before the district or circuit court of the United States. . .

Sec. 12. [Relates to fees of Federal officials.]

Sec. 13. . . It shall be lawful for the President of the United States to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to aid in the execution of the judicial process issued under this act.

Sec. 14. . . Whenever any person shall hold office, except as a member of Congress or of some State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution of the United States, it shall be the duty of the district attorney of the United States for the district in which such person shall hold office, as aforesaid, to proceed against such person, by writ of quo warranto, returnable to the circuit or district court of the United States in such district, and to prosecute the same to the removal of such person from office; and any writ of quo warranto so brought, as aforesaid, shall take precedence of all other cases on the docket of the court to which it is made returnable, and shall not be continued unless for cause proved to the satisfaction of the court.

Sec. 15. . . Any person who shall hereafter knowingly accept or hold any office under the United States, or any State to which he is ineligible under the third section of the four-

teenth article of amendment of the Constitution of the United States, or who shall attempt to hold or exercise the duties of any such office, shall be deemed guilty of a misdemeanor against the United States, and, upon conviction thereof before the circuit or district court of the United States, shall be imprisoned not more than one year, or fined not exceeding one thousand dollars, or both, at the discretion of the court.

Sec. 16. . . All persons within the jurisdiction of the United States shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding. No tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country which is not equally imposed and enforced upon every person immigrating to such State from any other foreign country; and any law of any State in conflict with this provision is hereby declared null and void.

Sec. 17. [Penalty for violating preceding section, $1,000 fine or less, or one year's imprisonment or less, or both.]

Sec. 18. [Civil Rights Act of April 9, 1866 re-enacted] and sections sixteen and seventeen hereof shall be enforced according to the provisions of said act.

Sec. 19. . . If at any election for representative or delegate in the Congress of the United States any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious; or vote more than once at the same election for any candidate for the same office; or vote at a place where he may not be lawfully entitled to vote; or vote without having a lawful right to vote; or do any unlawful act to secure a right or an opportunity to vote for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise

thereof, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage, or by any such means induce any voter to refuse to exercise such right; or compel or induce by any such means, or otherwise, any officer of election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote; or interfere in any manner with any officer of said elections in the discharge of his duties; or by any of such means, or other unlawful means, induce any officer of an election, or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty, or any law regulating the same; or knowingly and willfully receive the vote of any person not entitled to vote, or refuse to receive the vote of any person entitled to vote; or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit to do any duty the omission of which is hereby made a crime, or attempt to do so, every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United States of competent jurisdiction, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution.

Sec. 20. [Similar penalties for unlawful interference with the registration of voters.] *Provided,* That every registration made under the laws of any State or Territory, for any State or other election at which such representative or delegate in Congress shall be chosen, shall be deemed to be a registration within the meaning of this act, notwithstanding the same shall also be made for the purposes of any State, territorial, or municipal election.

Sec. 21. . . Whenever, by the laws of any State or Territory, the name of any candidate or person to be voted for as

representative or delegate in Congress shall be required to be printed, written, or contained in any ticket or ballot with other candidates or persons to be voted for at the same election for State, territorial, municipal, or local officers, it shall be sufficient prima facie evidence, either for the purpose of indicting or convicting any person charged with voting, or attempting or offering to vote, unlawfully under the provisions of the preceding sections, or for committing either of the offenses thereby created, to prove that the person so charged or indicted, voted, or attempted or offered to vote, such ballot or ticket, or committed either of the offenses named in the preceding sections of this act with reference to such ballot. And the proof and establishment of such facts shall be taken, held, and deemed to be presumptive evidence that such person voted, or attempted or offered to vote, for such representative or delegate, as the case may be, or that such offense was committed with reference to the election of such representative or delegate, and shall be sufficient to warrant his conviction, unless it shall be shown that any such ballot, when cast, or attempted or offered to be cast, by him, did not contain the name of any candidate for the office of representative or delegate in the Congress of the United States, or that such offense was not committed with reference to the election of such representative or delegate.

Sec. 22. . . Any officer of any election at which any representative or delegate in the Congress of the United States shall be voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who shall neglect or refuse to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or violate any duty so imposed, or knowingly do any act thereby unauthorized, with intent to affect any such election, or the result thereof; or fraudulently make any false certificate of the result of such election in regard to such representative or delegate; or withhold, conceal, or destroy any certificate of record

so required by law respecting, concerning, or pertaining to the election of any such representative or delegate; or neglect or refuse to make and return the same as so required by law; or aid, counsel, procure, or advise any voter, person, or officer to do any act by this or any of the preceding sections made a crime; or to omit to do any duty the omission of which is by this or any of said sections made a crime, or attempt to do so, shall be deemed guilty of a crime and shall be liable to prosecution and punishment therefor, as provided in the nineteenth section of this act for persons guilty of any of the crimes therein specified.

Sec. 23. . . Whenever any person shall be defeated or deprived of his election to any office, except elector of President or Vice President, representative or delegate in Congress, or member of a State legislature, by reason of the denial to any citizen or citizens who shall offer to vote, of the right to vote, on account of race, color, or previous condition of servitude, his right to hold and enjoy such office, and the emoluments thereof, shall not be impaired by such denial; and such person may bring any appropriate suit or proceeding to recover possession of such office, and in cases where it shall appear that the sole question touching the title to such office arises out of the denial of the right to vote to citizens who so offered to vote, on account of race, color, or previous condition of servitude, such suit or proceeding may be instituted in the circuit or district court of the United States of the circuit or district in which such person resides. And said circuit or district court shall have, concurrently with the State courts, jurisdiction thereof so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the fifteenth article of amendment to the Constitution of the United States, and secured by this act.

Second Enforcement Act

Acts and Resolutions, 41 Cong., 3 Sess., p. 45. Amending the Act of May 31, 1870. [February 28, 1871]

Be it enacted, . . That section twenty of the Act [of May 31, 1870] . . shall be, and hereby is, amended so as to read as follows:

Sec. 20. . . If [at] any registration of voters for an election for representative or delegate in the Congress of the United States, any person shall knowingly personate and register, or attempt to register in the name of any other person, whether living, dead, or fictitious, or fraudulently register, or fraudulently attempt to register, not having a lawful right so to do; or do any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevent or hinder any person having a lawful right to register from duly exercising such right; or compel or induce, by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interfere in any manner with any officer of registration to violate or refuse to comply with his duty or any law regulating the same; or if such officer shall knowingly and willfully register as a voter any person not entitled to be registered; or if any such officer or other person whose duty it is to perform any duty in relation to such registration or election, or to ascertain, announce, or declare the result thereof, or to give any certificate, document, or evidence in relation thereto, shall knowingly neglect or refuse to perform any duty required by law, or do any act unauthorized by law relating to or affecting such registration or election, or the result thereof, or any certificate, document, or evidence in relation thereto; or if any person shall aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit any act, the omission of which is hereby made a crime, every such person shall be deemed guilty of a crime, and shall be liable to prosecution and punishment thereof as provided in section nineteen of said act of May 31,

1870, for persons guilty of any crimes therein specified; *Provided,* That every registration made under the laws of any State or Territory for any State or other election at which such representative or delegate in Congress shall be chosen, shall be deemed to be a registration within the meaning of this act, notwithstanding the same shall also be made for the purposes of any State, territorial, or municipal election.

Sec. 2. . . Whenever in any city or town having upward of twenty thousand inhabitants, there shall be two citizens thereof who, prior to any registration of voters for an election for representative or delegate in the Congress of the United States, or prior to any election at which a representative or delegate in Congress is to be voted for, shall make known in writing, to the judge of the circuit court of the United States for the circuit wherein such city or town shall be, their desire to have said registration, or said election, or both, guarded and scrutinized, it shall be the duty of the said judge of the circuit court, within not less than ten days prior to said registration, if one there be, or, if no registration be required, within not less than ten days prior to said election, to open the said circuit court at the most convenient point in said circuit. And the said court, when so opened by said judge, shall proceed to appoint and commission, from day to day and from time to time, and under the hand of the said circuit judge, and under the seal of the said court, for each election district or voting precinct in each and every such city or town as shall, in the manner herein prescribed, have applied therefor, and to revoke, change, or renew said appointment from time to time, two citizens, residents of said city or town, who shall be of different political parties, and able to read and write the English language, and who shall be known and designated as supervisors of election. And the said circuit court, when opened by the said circuit judge as required herein, shall therefrom and thereafter, and up to and including the day following the day of election, be always open for the transaction of business under this act, and the power and jurisdiction hereby granted and conferred shall be exercised as well in vacation as in term

time; and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court.

Sec. 3. [If the circuit judge is unable to act he may designate a district judge to take his place.]

Sec. 4. . . It shall be the duty of the superintendent of election, appointed under this act, and they and each of them are hereby authorized and required, to attend at all times and places fixed for the registration of voters, who, being registered, would be entitled to vote for a representative or delegate in Congress, and to challenge any person offering to register; to attend at all times and places when the names of registered voters may be marked for challenge, and to cause such names registered as they shall deem proper to be so marked; to make, when required, the lists, or either of them, provided for in section thirteen of this act, and verify the same; and upon any occasion, and at any time when in attendance under the provisions of this act, to personally inspect and scrutinize such registry, and for purposes of identification to affix their or his signature to each and every page of the original list, and of each and every copy of any such list of registered voters, at such times, upon each day when any name may or shall be received, entered, or registered, and in such manner as will, in their or his judgment, detect and expose the improper or wrongful removal therefrom, or addition thereto, in any way, of any name or names.

Sec. 5. . . It shall also be the duty of the said supervisors of election, and they, and each of them, are hereby authorized and required, to attend at all times and places for elections of representatives or delegates in Congress, and for counting the votes cast at said elections; to challenge any vote offered by any person whose legal qualifications the supervisors, or either of them, shall doubt; to be and remain where the ballot boxes are kept at all times after the polls are opened until each and every vote cast at said time and place shall be counted, the canvass of all votes polled be wholly completed,

and the proper and requisite certificates or returns made, whether said certificates or returns be required under any law of the United States, or any State, territorial, or municipal law, and to personally inspect and scrutinize, from time to time, and at all times, on the day of election, the manner in which the voting is done, and the way and method in which the poll books, registry-lists, and tallies or checkbooks, whether the same are required by any law of the United States, or any State, territorial, or municipal law, are kept; and to the end that each candidate for the office of representative or delegate in Congress shall obtain the benefit of every vote for him cast, the said supervisors of election are, and each of them is, hereby required, in their or his respective election or voting precincts, to personally scrutinize, count, and canvass each and every ballot in their or his election or voting precinct cast, whatever may be the endorsement on said ballot, or in whatever box it may have been placed or be found; to make and forward to the officer who, in accordance with the provisions of section thirteen of this act, shall have been designated as the chief supervisor of the judicial district in which the city or town wherein they or he shall serve shall be, such certificates and returns of all such ballots as said officer may direct and require, and to attach to the registry-list, and any and all copies thereof, and to any certificate, statement, or return, whether the same, or any part, or portion thereof, be required by any law of the United States, or of any State, territorial, or municipal law, any statement touching the truth or fairness of the election and canvass, which the said supervisors of election, or either of them, may desire to make or attach, or which should properly and honestly be made or attached, in order that the facts may become known, any law of any State or Territory to the contrary notwithstanding.

Sec. 6. . . The better to enable the said supervisors of election to discharge their duties, they are, and each of them is, hereby authorized and directed, in their or his respective election districts or voting precincts, on the day or days of registration, on the day or days when registered voters may be

marked to be challenged, and on the day or days of election, to take, occupy, and remain in such position or positions, from time to time, whether before or behind the ballot boxes, as will, in their judgment, best enable them or him, to see each person offering himself for registration or offering to vote, and as will best conduce to their or his scrutinizing the manner in which the registration or voting is being conducted; and at the closing of the polls for the reception of votes, they are and each of them is, hereby required to place themselves or himself in such a position in relation to the ballot-boxes, for the purpose of engaging in the work of canvassing the ballots in said boxes contained as will enable them or him to fully perform the duties in respect to such canvass provided in this act, and shall there remain until every duty in respect to such canvass, certificates, returns and statements shall have been wholly completed, any law of any State or Territory to the contrary notwithstanding.

Sec. 7. . . If in any election district or voting precinct in any town, city or village, for which there shall have been appointed supervisors of election for any election at which a representative or delegate in Congress shall be voted for, the said supervisors of election, or either of them, shall not be allowed to exercise and discharge, fully and freely, and without bribery, solicitation, interference, hindrance, molestation, violence, or threats thereof, on the part of or from any person or persons, each and every of the duties, obligations, and powers conferred upon them by this act and the act hereby amended, it shall be the duty of the supervisors of election, and each of them, to make prompt report, under oath, within ten days after the day of election, to the officer who, in accordance with the provisions of section thirteen of this act, shall have been designated as the chief supervisor of the judicial district in which the city or town within [which] they or he served shall be, of the manner and means by which they were, or he was, not so allowed to fully and freely exercise and discharge the duties and obligations required and imposed by this act. And upon receiving such a report it shall be the duty of the said chief supervisor,

acting both in such capacity and officially as a commissioner of the circuit court, to forthwith examine into all the facts thereof; to subpoena, and compel the attendance before him of any witnesses; administer oaths and take testimony in respect to the charges made; and prior to the assembling of Congress for which any such representative or delegate was voted for, to have filed with the clerk of the House of Representatives of the Congress of the United States all the evidences by him taken, all information by him obtained, and all reports to him made.

Sec. 8. . . Whenever an election at which representatives or delegates in Congress are to be chosen shall be held in any city or town of twenty-thousand inhabitants or upward, the marshal of the United States, for the district in which said city or town is situated shall have power, and it shall be his duty, on the application, in writing, of at least two citizens residing in any such city or town, to appoint special deputy marshals, whose duty it shall be, when required as provided in this act, to aid and assist the supervisors of election in the verification of any list of persons made under the provisions of this act, who may have registered, or voted, or either; to attend in each election district or voting precinct at the times and places fixed for the registration of voters, and at all times and places when and where said registration may by law be scrutinized and the names of registered voters be marked for challenge; and also to attend, at all times for holding such elections, the polls of the election in such district or precinct. And the marshal and his general deputies, shall have power, and it shall be the duty of such special deputies, to keep the peace, and support and protect the supervisors of elections in the discharge of their duties, preserve order at such places of registration, and at such polls, prevent fraudulent conduct on the part of any officer of election, and immediately, either at said place of registration, or polling-place, or elsewhere, and either before or after registering or voting, to arrest and take into custody with or without process, any person who shall commit, or attempt or offer to commit, any of the acts or

offenses prohibited by this act or the act hereby amended, or who shall commit any offense against the laws of the United States: *Provided,* That no person shall be arrested without process for any offense not committed in the presence of the marshal or his general or special deputies, or either of them, and for the purpose of arrest or the preservation of the peace, the supervisors of election, and each of them, shall in the absence of the marshal's deputies, or if required to assist said deputies, have the same duties and powers as deputy marshals: *And provided further,* That no person shall, on the day or days of any such election, be arrested without process for any offense committed on the day or days of registration.

Sec. 9. . . Whenever any arrest is made under any provision of this act, the person so arrested shall forthwith be brought before a commissioner, judge, or court of the United States for examination of the offenses alleged against him; and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crimes against the United States.

Sec. 10. . . Whoever with or without any authority, power, or process, or pretended authority, power, or process, of any State, territorial, or municipal authority, shall obstruct, hinder, assault, or by bribery, solicitation, or otherwise, interfere with or prevent the supervisors of election, or either of them, or the marshal, or his general, or special deputies, or either of them, in the performance of any duty required of them, or which he or they, or either of them, may be authorized to perform by any law of the United States, whether in the execution of process or otherwise, or shall by any of the means before mentioned hinder or prevent the free attendance and presence at such places of registration, or at such polls of election, or full and free access and egress to and from any such place of registration or poll of election, or in going to and from any such place of registration or poll of election, or to and from any room where any such registration or election, or canvass of votes, or of making any returns or certificates thereof, may be had, or shall molest, interfere with, remove, or eject

from any such place of registration or poll of election, or of canvassing votes cast thereat, or of making returns or certificates thereof, any supervisor of election, the marshal, or his general or special deputies, or either of them, or shall threaten, or attempt, or offer so to do, or shall refuse or neglect to aid and assist any supervisor of election, or the marshal, or his general or special deputies, or either of them, in the performance of his other duties when required by him or them, or either of them, to give such aid and assistance, he shall be guilty of a misdemeanor, and liable to instant arrest without process, and on conviction thereof shall be punished by imprisonment not more than two years, or by fine not more than three thousand dollars, or by both such fine and imprisonment, and shall pay the costs of the prosecution. Whoever shall during the progress of any verification of any list of the persons who may have registered or voted, which shall be had or made under any of the provisions of this act, refuse to answer, or refrain from answering, or answering shall knowingly give false information in respect to any inquiry lawfully made, such persons shall be liable to arrest and imprisonment as for a misdemeanor, and on conviction thereof shall be punished by imprisonment not to exceed thirty days, or by fine not to exceed one hundred dollars, or by both such fine and imprisonment, and shall pay the costs of the prosecution.

Sec. 11. [A supervisor or a deputy marshal who neglects the duties of his office to be punished by fine or imprisonment, or by both.]

Sec. 12. . . . The marshal or his general deputies, or such special deputies as shall be thereto specially empowered by him in writing and under his hand and seal, whenever he or his said general deputies or his special deputies, or either or any of them, shall be forcibly resisted in executing their duties under this act, or the act hereby amended, or shall, by violence, threats, or menaces, be prevented from executing such duties, or from arresting any person or persons who shall commit any offense for which said marshal, or his general or his special deputies are authorized to make such arrest, are, and each

of them is hereby, empowered to summon and call to his or their aid the bystanders or posse comitatus of his district.

Sec. 13. . . . It shall be the duty of each of the circuit courts of the United States in and for each judicial circuit, upon the recommendation in writing of the judge thereof, to name and appoint, on or before [May 1, 1871] . . and thereafter as vacancies may from any cause arise, from among the circuit court commissioners in and for each judicial district in each of said judicial circuits, one of such officers, who shall be known for the duties required of him under this act as the chief supervisor of elections of the judicial district, in and for which he shall be a commissioner, and shall, so long as faithful and capable, discharge the duties in this act imposed and whose duty it shall be to prepare and furnish all necessary books, forms, blanks, and instructions for the use and direction of the supervisors of elections in the several cities and towns in their respective districts; to receive the applications of all parties for appointment to such positions; and upon the opening, as contemplated in this act, of the circuit court for the judicial circuit in which the commissioner so designated shall act, to present such applications to the judge thereof, and furnish information to said judge in respect to the appointment by the said court of such supervisors of election; to require of the supervisors of election, where necessary, lists of the persons who may register and vote, or either, in their respective election districts or voting precincts, and to cause the names of those upon any such list whose right to register and vote shall be honestly doubted to be verified by proper inquiry and examination at the respective places by them assigned as their residences; and to receive, preserve, and file all oaths of office of said supervisors of election, and of all special deputy marshals appointed under the provisions of this act, and all certificates, returns, reports and records of every kind and nature contemplated or made requisite under and by the provisions of this act, save where otherwise herein specially directed. And it is hereby made the duty of all United States marshals and commissioners who shall in any judicial district

perform any duties under the provisions of this act, or the act hereby amended, relating to, concerning, or affecting the election of representatives or delegates in the Congress of the United States, to, from time to time, and with all due diligence, forward to the chief supervisors, in and for their judicial district, all complaints, examinations, and records pertaining thereto, and all oaths of office by them administered to any supervisor of election or special deputy marshal, in order that the same may be properly preserved and filed.

Sec. 14. [Relates to compensation of supervisors and deputy marshals.]

Sec. 15. . . The jurisdiction of the circuit court of the United States shall extend to all cases in law or equity arising under the provisions of this act or the act hereby amended; and if any person shall receive an injury to his person or property for or on account of any act by him done under any of the provisions of this act or the act hereby amended, he shall be entitled to maintain suit for damages therefor in the circuit court of the United States in the district wherein the party doing the injury may reside or shall be found.

Sec. 16. . . In any case where suit or prosecution, civil or criminal, shall be commenced in a court of any state, against any officer of the United States, or other person, for or on account of any act done under the provisions of this act, or under color thereof, or for or on account of any right, authority, or title set up or claimed by such officer or other person, under any of said provisions, it shall be lawful for the defendant in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States in and for the district, in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counselor at law of some court of record of the State in which such suit shall have been commenced, or of the United States, setting forth that as counsel for the petition[er] he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition,

and that he believes the same to be true, which petition, affidavit, and certificate shall be presented to the said circuit court, if in session, and, if not, to the clerk thereof at his office, and shall be filed in said office and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of said clerk of said court if the suit was commenced in the court below by summons, to issue a writ of certiorari to the State court, requiring said court to send to the circuit court the record and proceedings in said cause; or if it was commenced by capias, he shall issue a writ of habeas corpus cum causa, a duplicate of which said writ, shall be delivered to the clerk of the State court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and thereupon it shall be the duty of the State court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial, or judgment therein in the State court, shall be wholly null and void; and any person, whether an attorney or officer of any State court, or otherwise, who shall thereafter take any steps or in any manner proceed in the State court in any action so removed, shall be guilty of a misdemeanor, and liable to trial and punishment in the court to which the action shall have been removed, and upon conviction thereof shall be punished by imprisonment for not less than six months nor more than one year, or by fine for not less than five hundred nor more than one thousand dollars, or by both such fine and imprisonment, and shall in addition thereto be amenable to the said court to which said action shall have been removed as for a contempt; and if the defendant in any such suit be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the same cause according to the rules of law and the order of the circuit court, or of any judge thereof in vacation. And all attach-

ments made and all bail or other security given upon such suit or prosecution shall be and continue in like force and effect as if the same suit or prosecution had proceeded to final judgment and execution in the State court. And if upon the removal of any such suit or prosecution it shall be made to appear to the said circuit court that no copy of the record and proceedings therein in the State court can be obtained, it shall be lawful for said circuit court to allow and require the plaintiff to proceed de novo, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said circuit court; and on failure of so proceeding judgment of non prosequiter may be rendered against the plaintiff, with costs for the defendant.

Sec. 17. [If clerk of State court declines to furnish record of a case to be used in a United States court such record may be supplied by affidavit or otherwise.]

Sec. 18. [Repeals sections five and six of Act of July 14, 1870, amending the naturalization laws.]

Sec. 19. That all votes for representatives in Congress shall hereafter be by written or printed ballot, any law of any State to the contrary notwithstanding; and all votes received or recorded contrary to the provisions of this section shall be of none effect.

Ku Klux Act

Acts and Resolutions, 41 Cong., 1 Sess., p. 294. The third Enforcement Act. [April 20, 1871]

Be it enacted . . That any person who, under color of any law, statute, ordinance, regulation, custom, or usage of any State, shall subject, or cause to be subjected, any person within the jurisdiction of the United States to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States, shall, any such law, statute, ordinance, regulation, custom, or usage of the State to the contrary notwithstanding, be liable to the party injured in any action at law, suit in equity, or other proper proceeding for redress; such proceeding to be prosecuted in the several district or circuit courts of the United States, with and subject to the same rights

of appeal, review upon error, and other remedies provided in like cases in such courts, under the provisions of the [Civil Rights Act of April 9, 1866] . . and the other remedial laws of the United States which are in their nature applicable in such cases.

Sec. 2. That if two or more persons within any State or Territory of the United States shall conspire together to overthrow, or to put down, or to destroy by force the government of the United States, or to levy war against the United States or to oppose by force the authority of the government of the United States, or by force, intimidation, or threat to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, or by force, intimidation, or threat to prevent any person from accepting or holding any office or trust or place of confidence under the United States, or from discharging the duties thereof, or by force, intimidation, or threat to induce any officer of the United States to leave any State, district, or place where his duties as such officer might lawfully be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duty, or by force, intimidation, or threat to deter any party or witness in any court of the United States from attending such court, or from testifying in any matter pending in such court fully, freely, and truthfully, or to injure any such party or witness in his person or property on account of his having so attended or testified, or by force, intimidation, or threat to influence the verdict, presentment, or indictment, of any juror or grand juror in any court of the United States, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or on account of his being or having been such juror, or shall conspire together, or go in disguise upon the public highway or upon the premises of another for the purpose, either directly or indirectly, of depriving any person or any class of persons of the equal protec-

tion of the laws, or of equal privileges or immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State from giving or securing to all persons within such State the equal protection of the laws, or shall conspire together for the purpose of in any manner impeding, hindering, obstructing, or defeating the due course of justice in any State or Territory, with the intent to deny to any citizen of the United States the due and equal protection of the laws, or to injure any person in his person or his property for lawfully enforcing the right of any person or class of persons to the equal protection of the laws, or by force, intimidation, or threat to prevent any citizen of the United States lawfully entitled to vote from giving his support or advocacy in a lawful manner towards or in favor of the election of any lawfully qualified person as an elector of President or Vice-President of the United States, or as a member of the Congress of the United States, or to injure any such citizen in his person or property on account of such support or advocacy, each and every person so offending shall be deemed guilty of a high crime, and, upon conviction thereof in any district or circuit court of the United States or district or supreme court of any Territory of the United States having jurisdiction of similar offenses shall be punished by a fine not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, as the court may determine, for a period of not less than six months nor more than six years, as the court may determine, or by both such fine and imprisonment as the court may determine. And if any one or more persons engaged in any such conspiracy shall do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby any person shall be injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the person so injured or deprived of such rights and privileges may have and maintain an action for the recovery of damages against any one or more of the persons engaged in such conspiracy, such action to be prosecuted in the proper district or circuit court of the United States, with and subject to the

same rights of appeal, review upon error, and other remedies provided in like cases in such courts under the provisions of the [Civil Rights Act]. . .

Sec. 3. That in all cases where insurrection, domestic violence, unlawful combinations, or conspiracies in any State shall so obstruct or hinder the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by this act, and the constituted authorities of such State shall either be unable to protect, or shall from any cause fail in or refuse protection of the people in such rights, such facts will be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy shall oppose or obstruct the laws of the United States or the due execution thereof, or impede or obstruct the due course of justice under the same, it shall be lawful for the President, and it shall be his duty to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary for the suppression of such insurrection, domestic violence, or combinations; and any person who shall be arrested under the provisions of this and the preceding section shall be delivered to the marshal of the proper district, to be dealt with according to law.

Sec. 4. That whenever in any State or part of a State the unlawful combinations named in the preceding section of this act shall be organized and armed, and so numerous and powerful as to be able, by violence, to either overthrow or set at defiance the constituted authorities of such State, and of the United States within such State, or when the constituted authorities are in complicity with, or shall connive at the unlawful purposes of, such powerful and armed combinations; and whenever, by reason of either or all of the causes aforesaid, the conviction of such offender and the preserva-

tion of the public safety shall become in such district impracticable, in every such case such combinations shall be deemed a rebellion, against the government of the United States, and during the continuation of such rebellion, and within the limits of the district which shall be so under the sway thereof, such limits to be prescribed by proclamation, it shall be lawful for the President of the United States, when in his judgment the public safety shall require it, to suspend the privileges of the writ of habeas corpus, to the end that such rebellion may be overthrown: *Provided*, That all the provisions of the second section of an act entitled "An act relating to habeas corpus, . . [of March 3, 1863] which relate to the discharge of prisoners other than prisoners of war, and to the penalty for refusing to obey the order of the court, shall be in full force so far as the same are applicable to the provisions of this section: *Provided further*, That the President shall first have made proclamation, as now provided by law, commanding such insurgents to disperse: *And provided also*, That the provisions of this section shall not be in force after the end of the next regular session of Congress.

Sec. 5. That no person shall be a grand or petit juror in any court of the United States upon any inquiry, hearing, or trial of any suit, proceeding, or prosecution based upon or arising under the provisions of this act who shall, in the judgment of the court, be in complicity with any such combination or conspiracy; and every such juror shall, before entering upon any such inquiry, hearing, or trial, take and subscribe an oath in open court that he has never, directly or indirectly, counselled, advised, or voluntarily aided any such combination or conspiracy; and each and every person who shall take this oath, and shall therein swear falsely, shall be guilty of perjury, and shall be subject to the pains and penalties declared against that crime, and the first section of the act [of June 17, 1862, relating to jurors in United States courts] . . be, and the same is hereby, repealed.

Sec. 6. That any person, having knowledge that any of the wrongs conspired to be done and mentioned in the second section

of this act are about to be committed, and having power to prevent or aid in preventing the same, shall neglect or refuse to do so, and such wrongful act shall be committed, such person or persons shall be liable to the person injured, or his legal representatives, for all damages caused by any such wrongful act which such first-named person or persons by reasonable diligence could have prevented; and such damages may be recovered in an action on the case in the proper circuit court of the United States, and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in such action: *Provided,* That such action shall be commenced within one year after such cause of action shall have accrued; and if the death of any person shall be caused by any such wrongful act and neglect, the legal representatives of such deceased person shall have action therefor, and may recover not exceeding five thousand dollars damages therein, for the benefit of the widow of such deceased person, if any there be, or if there be no widow, for the benefit of the next of kin of such deceased person.

Sec. 7. That nothing herein contained shall be construed to supersede or repeal any former act or law except so far as the same may be repugnant thereto; and any offenses heretofore committed against the tenor of any former act shall be prosecuted, and any proceeding already commenced for the prosecution thereof shall be continued and completed, the same as if this act had not been passed, except so far as the provisions of this act may go to sustain and validate such proceedings.

Writ of Habeas Corpus Suspended in South Carolina

Richardson, *Messages and Papers*, vol. vii, p. 136. On March 24, 1871, the President had issued a proclamation against certain bodies in South Carolina; on May 3, he issued a general proclamation calling attention to the Ku Klux law; on October 12 he issued another proclamation against bodies of whites in South Carolina, and five days later suspended the writ of habeas corpus in nine counties; Federal troops were sent in and more than eighteen hundred arrests were made. [October 17, 1871]

WHEREAS by an act of Congress entitled "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes," approved the

20th day of April, A. D. 1871, power is given to the President of the United States, when in his judgment the public safety shall require it, to suspend the privileges of the writ of *habeas corpus* in any State or part of a State whenever combinations and conspiracies exist in such State or part of a State for the purpose of depriving any portion or class of the people of such State of the rights, privileges, immunities, and protection named in the Constitution of the United States and secured by the act of Congress aforesaid; and whenever such combinations and conspiracies do so obstruct and hinder the execution of the laws of any such State and of the United States as to deprive the people aforesaid of the rights, privileges, immunities, and protection aforesaid, and do oppose and obstruct the laws of the United States in their due execution, and impede and obstruct the due course of justice under the same; and whenever such combinations shall be organized and armed, and so numerous and powerful as to be able by violence either to overthrow or to set at defiance the constituted authorities of said State and of the United States within such State; and whenever by reason of said causes the conviction of such offenders and the preservation of the public peace shall become in such State or part of a State impracticable; and . .

Whereas on the 12th day of the present month of October the President of the United States did issue his proclamation, reciting therein, among other things, that such combinations and conspiracies did then exist in the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield, in the State of South Carolina, and commanding thereby all persons composing such unlawful combinations and conspiracies to disperse and retire peaceably to their homes within five days from the date thereof, and to deliver either to the marshal of the United States for the district of South Carolina, or to any of his deputies, or to any military officer of the United States within said counties, all arms, ammunition, uniforms, disguises, and other means and implements used, kept, possessed, or controlled by them for carrying out

the unlawful purposes for which the said combinations and conspiracies are organized; and

Whereas the insurgents engaged in such unlawful combinations and conspiracies within the counties aforesaid have not dispersed and retired peaceably to their respective homes, and have not delivered to the marshal of the United States, or to any of his deputies, or to any of the military officers of the United States within said counties, all arms, ammunition, uniforms, disguises, and all other means and implements used, kept, possessed, or controlled by them, for carrying out the unlawful purposes for which the combinations and conspiracies are organized, as commanded by said proclamation, but do still persist in the unlawful combinations and conspiracies aforesaid:

Now, therefore, I, Ulysses S. Grant, President of the United States of America, by virtue of the authority vested in me by the Constitution of the United States and the act of Congress aforesaid, do hereby declare that, in my judgment, the public safety especially requires that the privileges of the writ of *habeas corpus* be suspended, to the end that such rebellion may be overthrown, and do hereby suspend the privileges of the writ of *habeas corpus* within the counties of Spartanburg, York, Marion, Chester, Laurens, Newberry, Fairfield, Lancaster, and Chesterfield, in said State of South Carolina, in respect to all persons arrested by the marshal of the United States for the said district of South Carolina, or by any of his deputies, or by any military officer of the United States, or by any soldier or citizen acting under the orders of said marshal, deputy, or such military officer within any one of said counties, charged with any violation of the act of Congress aforesaid, during the continuance of such rebellion.

The Election of a Senator

The Election of George E. Spencer, pp. 36, 73. Spencer was U. S. Senator from Alabama, a candidate for re-election, and was supported by the Washington administration. (1) Letter from Spencer to Robert Barber; (2) Statement of Perrin, a deputy U. S. marshal.

[1872]

[1] *Decatur, Ala., Oct. 22, 1872.*

My Dear Barber:

I have just returned from Louisville, where I have been to see Gen. Terry about troops for Alabama.

I have had a company of cavalry sent to Livingston, a detachment to Pickens county, a company of infantry to Eutaw, and a company to Demopolis, and a company to Seal's Station, Russell county. Also, a squadron of cavalry to report to Marshal Thomas, at Huntsville.

I wish Randolph, deputy U. S. marshal, would use the company at Opelika in making arrests in Tallapoosa, Randolph and Cleburne, as —— suggests. . . I must not, however, be known in the matter.

[2] I wrote to Gen. Spencer in Lou Mayer's presence, that under the Enforcement Act we could get affidavits and have Democratic members arrested and detained until the legislature was organized by the Republicans, and his election as Senator secured. Lou Mayer [chairman of the Republican party organization] was present when I wrote the letter. I read it to him and he approved its contents. . .

The missing members were arrested while on their way to Montgomery, at Selma, and were carried *via* Meridian [Mississippi] to Mobile where they waived an examination, gave bond and were released. No indictment was ever found against them, and there was no further prosecution. I do not think it was ever intended that they should be indicted or prosecuted. . .

Troops were brought here at that time for the alleged purpose of protecting the federal revenue officers in the performance of their duties. This was the ostensible object, but the real object was to parade the troops through the country with

United States Marshals having pretended warrants and exhibiting them for the purpose of intimidating the people and driving persons from the country. These warrants were taken by the marshals into neighborhoods and exhibited to persons who would inform the parties that the marshal was after them. They would then leave the country or get out of the way. The "warrants" were simply papers folded with no writing on the inside, but names were on the outside on the folds. Spencer wrote to Mayer that he had procured troops to be under the control of the revenue officers, and Mayer so informed me. Acting on this information I made a requisition for troops, and proceeded with them and the marshal, who had the pretended warrants and exhibited them as I have indicated. . .

I shot a hole through my own hat with my own pistol and wrote to Lou H. Mayer that I had been set upon by men in ambush and K. K. K., which he perfectly understood was not the case by a previous understanding. I had the troops with me at that time; I was in advance and out of their sight when I shot the hole in my hat. I ran back and deployed them as skirmishers and we advanced upon the supposed K. K. K.'s with an intrepidity that reflected credit upon the troops, who knew no better than that there was a real foe before them. . .

It was to satisfy the department at Washington that the presence of troops was necessary, and to prevent their recall. . . They were kept by me as long as they could be made use of as a political machine. . . [We were acting] in George E. Spencer's [interest], to secure at all hazards a legislature that would elect him to the U. S. Senate. . . I received instructions from Lou Mayer, the collector of revenue under whom I was acting, not to use the troops for political purposes; which meant, by a previous understanding with Mayer, that I should use them for political purposes, as there was no necessity for them.

The Attorney General and the Alabama Legislature

McPherson, *Handbook*, *1874*, p. 85. The Democrats elected a majority of the legislature; the Republicans withdrew and formed a separate organization; by this plan of compromise the Democrats lost their majority; troops were sent to aid the governor who was a Republican and the plan was carried through. [1872]

Two organizations at Montgomery, Alabama, claiming to be the general assembly of that State, have appealed to the President, and with his approval I submit, as a plan of compromising the difficulty, the following:

First. Officers of each organization shall tender their resignations, to take effect upon the permanent organization of a House of Representatives, as hereinafter provided.

Second. On the —— inst. the hall of the House in the Capitol shall be vacant, and at 12 o'clock of that day all the persons holding the certificates of Secretary Ragland [Republican] shall be the only Representatives seated from Barbour County, and shall make in the usual manner a temporary organization.

Third. Two tellers, one Republican and one Democrat, shall be appointed by the speaker pro tem. who shall publicly and in the presence of the House count the votes cast for Representatives in the county of Marengo; and for that purpose they shall take the returns of the precinct inspectors of said county, or, in case they can not be procured, the evidence of said inspectors, so far as the same may be necessary to ascertain the actual vote cast as aforesaid, and the persons found upon such count to have the highest number of votes for Representative shall be seated as such from said county; but the persons [Democrats] now holding certificates of election as representatives from Marengo shall not vote upon or in said temporary organization, nor shall any business other than deciding the contest as to said county be transacted during such organization.

Fourth. When such contest is determined, the House shall make a permanent organization in the usual way.

Fifth. On said ——, the —— inst., the Senate Chamber shall be vacant, and at 12 o'clock the persons holding certifi-

cates of election as Senators shall assemble therein, and organize with the Lieutenant Governor presiding, with the person [Republican] holding the certificate of Secretary Ragland in his seat, as the only senator from Barbour county; and the votes for senator in Marengo county shall be counted in the same way, and upon the same kind of evidence as is hereinbefore provided for the House contest as to said county, and upon such count the person found to have the highest number of votes for Senator from said county shall be seated as such; but the person [Democrat] now holding the certificate of election to the Senate from said county shall not vote upon any question while the contest about his seat is pending. And then the contest as to the district comprising the counties of Butler and Conecuh shall be decided in the same way and upon the same kind of evidence, and the person now holding the certificate of election as Senator from said district shall not vote upon any question before he is declared elected upon a count of votes of said district as aforesaid, nor shall the Senate do any other business before these contests are settled.

No person not holding a certificate of election shall take a seat in either body until his right thereto is affirmed as above founded.

All those claiming to be members and seated in either organization shall be allowed mileage and per diem compensation prior to the temporary organization as hereinbefore provided for, after which persons [Democrats] holding certificates of election from Secretary Parker for Barbour county shall cease to draw pay; and those contesting the seats for Marengo county and the district of Butler and Conecuh who are finally excluded shall be allowed per diem until said contests are respectively ended; and the officers and employees of each organization shall be paid the usual compensation.

GEORGE H. WILLIAMS,
Attorney General.

Use of Troops and Deputy Marshals

House Report no. 262, 43 Cong., 2 Sess., pp. 1272, 1265, 1057. (1) Attorney General Williams's circular to United States marshals in the South; (2) nomination of deputy marshals (more than twelve hundred were thus appointed in Alabama); (3) note from a Republican politician to the United States marshal; (4) report of a public meeting of whites in Sumter county. Several hundred whites in Alabama were arrested before the November elections but were never tried. [1874]

[1] DEPARTMENT OF JUSTICE,
Washington, September 29, 1874.

Sir: I would suggest that at those points where United States troops are or may be stationed in your district, you appoint some person deputy marshal, who may act at once in the arrest of parties committing outrages, without the delay of sending to you before the troops can be used for the arrest of the offenders. I would further suggest that prudent, fearless persons, and if possible, those in whose judgment and integrity the people have confidence, be appointed to such positions. This would, however, only be necessary where you were not conveniently accessible.

You have applied to me for permission to mount infantry, which I decline to give, but there will be cavalry sent to the State and located at different points, so that they can be employed for the arrest of persons. Marshals in our States, however, successfully use infantry, and recently in Tennessee eight persons, who were concerned in the Gibson County outrage were arrested by the deputy United States Marshal, with the assistance of infantry. I am satisfied that in the region of Hale, Sumter, Green, and Marengo Counties [Alabama] outrages are frequent, and that there is a determined effort to overawe and intimidate the colored people so that they will not vote at the approaching election. These things, I think, ought to be prevented, and whether they are or are not, will depend very much upon the efficiency of yourself and your deputies.

[2] ROOMS REPUBLICAN STATE EXECUTIVE COMMITTEE OF ALABAMA.
Mobile, October 7, 1874.

Dear Sir: Please make the following appointments of

deputy marshals in Dallas County, and send their appointments care Hon. Jerre Haralson, Selma:

Warren A. Brantley, Henry Loder, R. M. Moore, Alexander Carr.

Very respectfully,

CHAS. E. MAYER,
Chairman.

Hon. R. W. HEALY, U. S. Marshal, Montgomery,
Commissions all sent as above.

[3] ROOMS REPUBLICAN EXECUTIVE COMMITTEE,
THIRD CONGRESSIONAL DISTRICT OF ALABAMA.
Opelika, Ala., October 20, 1874

My Dear General: When you become disgusted with letters from me, telegraph and I'll cease writing; as it is I shall continue. Another county heard from, and a good, clever, "brave-as-a-lion" fellow recommended to the high and exalted office of United States deputy marshal. The euphonious name of the gentleman is W. G. Mayberry, and I hope you'll send his commission and appoint as many more as we (I) may be able to get to serve. The deputies will all vote right in this district. Twenty-thousand blank commissions will carry the State overwhelmingly. Bait is good, and especially for democratic office-hunger. Permit me to call your attention to the note printed at the foot of your deputy's commission. I thought they had a right to arrest violators of the Federal election law on the day of election (*flagrante delicto*) without warrant or other process. The summoning of jurors before election will do much good. Don't send this letter to the Attorney-General. No troops here as yet. Taxing you to answer this, I am yours always,

ISAAC HEYMAN.

[4] An infantry company under Captain Mills arrived at this place (Livingston) about the 10th of September. About the same time Beach and Hester [post office detectives] made their appearance in the county with a wagon, in the guise of illicit dealers in tobacco and whisky, and soon afterward Williford

and Randolph, deputy United States marshals, also appeared at Livingston. In a few days Hester and Beach threw off all disguise, and appeared as spies, detectives, and informers of the Federal Government, and soon afterward Stephen Renfro and Charles S. Bullock, two respectable citizens of the county, were arrested under a warrant charging them with the murder of Billings. They were forthwith handcuffed and chained, and confined in the dungeon of the jail. By their inhuman captors these prisoners were treated with great rudeness, and cursed and threatened with personal violence without the slightest cause or provocation. All the witnesses and two United States commissioners, both Republicans, resided in this county, and Renfro and Bullock insisted upon being tried here. But this just and reasonable application was denied, and they were taken, chained and handcuffed, by Selma and Montgomery, a long and circuitous route, to Mobile for trial. . . In a secret circular by Mayer, the chairman of the Republican State committee, encouraging the republicans to prosecute democrats, Gillette was recommended as a reliable commissioner for the work in view. In the meantime, Mr. Williamson, the sheriff of the county, and Scip. Coleman, a colored democrat, were arrested and put in jail by these hirelings. . . Williamson and Coleman were told that they were arrested under a warrant charging them with participating in the murder of Ivey. Being unable to find any testimony against them, these men were discharged on bail, in a few days, without examination.

Two days following the arrest of Renfro and Bullock, Fred. Chiles, a citizen of this county, was arrested while peaceably employed at his daily labor. He was handcuffed without delay and placed in a dungeon in the jail, and refused permission to see his counsel or friends. His humane captors stated to him that he was arrested on a charge of participating in the murder of Ivey, but showed him no warrant or other authority for arrest. Since then it has been discovered that the affidavit for the warrant and the warrant itself bear date the same day of his arrest, and purports to have been issued by James Gillette, in Mobile, about 150 miles distant from the place of arrest.

Mr. Chiles was also chained and handcuffed and taken by way of Selma and Montgomery to Mobile, where he was confined in the jail for several days, and then, there being no evidence against him, he was discharged on bail in Mobile without any examination.

On their way to Mobile with Renfro, Bullock and Chiles, . . Williford and Randolph, meeting with P. A. Hillman, on the public road between his place and Demopolis, arrested him without any warrant or authority, and also handcuffed and chained him, and took him to Mobile and imprisoned him in jail. There being no warrant or charge against him he was at first ordered by Gillette to be discharged, but upon the suggestion of the acting United States district attorney, that possibly he might be guilty of some violation of the law, and some evidence against him might turn up, he was, as we learn, ultimately discharged on bail to answer an indictment which might be found against him for committing an assault and battery on any negro.

On Saturday, the 17th instant, Thomas B. Wetmore and Stephen Smith, white, and John Little, colored democrat, were arrested at the instance of Hester upon a warrant procured by him to be issued by commissioner Wayne, and charging them with a conspiracy to injure Hester. This warrant was made returnable before Gillette, although the parties and witnesses resided in this county. Yesterday they were taken to Mobile for trial.

Federal Interference under the Enforcement Laws

Nordhoff, *The Cotton States*, p. 13. [1875]

THE great mass of the Southern colored voters are illiterate; they are easily impressed by exhibitions of power. . . The Republican leader has always had the United States Government to back him. Packard, chairman of the Republican State Executive Committee of Louisiana, has, as United States marshal, the absolute control of Federal troops in Louisiana. . . Governor Ames, as is publicly charged, refuses to stir to prevent

a riot at Vicksburg; but after the riot, after forty or fifty blacks have been killed, and when the negroes are demoralized and feel utterly helpless, sends for Federal troops, which come at his command, and reassure the blacks. Such manifestations of power strike the imaginations of the negroes, as they would any ignorant population, and they follow very readily and blindly, its possessor. Some colored witnesses in Alabama being asked why they voted against Sheats, a Republican, for Congress, replied, "because Perrin told them to;" being asked if they would have voted the Democratic ticket if Perrin had told them to, they answered, unhesitatingly, "Yes." But Perrin, as United States deputy-marshal, commanded Federal troops, and gave away Federal bacon.

The leaders whom they thus follow . . appeal only and continually to the negro's fears and to his sense of obligation to the Federal power. In Alabama they were told that the bacon was sent them by General Grant, and its receipt made it their duty to vote the "straight Republican ticket." In some parts of Southern Louisiana the negroes are still summoned from the field to political meetings, "by order of General Butler." I know of a case where a candidate for a county office printed a "general order" commanding all colored men to vote for him, and signed "U. S. Grant, President;" and he received the solid colored vote. . .

So pertinaciously has this base insinuation been used among the blacks, that when last fall the Democrats carried Alabama, I know of two instances in which colored men came into the nearest town to ask white Democrats, in whose honor and kindness they had trusted, whether they would be allowed to choose their own masters, and whether they would be separated from their wives and children.

The Federal office-holders are largely to blame for the continuance of this evil. They are a very numerous class in every Southern State; and have far greater influence than their fellows in the Northern States, especially over the blacks, who have been taught to regard them as their guardians, and political guides and leaders. They are too often, . . men of low

character, Republicans by trade, and of no influence except among the negroes, to whom the lowest Federal officer, even a deputy-marshal's deputy, is a very powerful being, armed with the whole strength of the Federal Government. Georgia has nearly . . three thousand men in the employ of the Federal Government, in various capacities; and most of the States I have visited have an equal number. In such States as Louisiana these men "organize" the negro vote; and they do it as the only means to preserve their places. A Democratic Federal administration would oust them. . . The Federal Administration appears to me culpable in this matter, because it has not only permitted its officers in the South to take an active and partisan part in politics, but has apparently encouraged them in doing so. The United States marshal [Packard] of Louisiana, for instance, having the command at will of Federal troops, has been chairman of the Republican State Central Committee.

7. THE WASHINGTON ADMINISTRATION AND THE DUAL GOVERNMENTS: LOUISIANA AND ARKANSAS

Division among the Louisiana Radicals

House Ex. Doc. no. 209, 42 Cong., 2 Sess., pp. 3, 10. Warmoth, Radical governor, was now working for the Conservatives, and Packard, leader of the Custom House faction, was trying to impeach Warmoth and drive his supporters from the legislature. The Washington administration supported Packard. Report of Gen. W. H. Emory to the Adjutant General. [January, 1872]

[January 9, 1872] For the last three days peace has been maintained solely by the display of the United States troops, and a contest for the State-house is at this moment only averted by my placing troops near that point, with definite orders to prevent riot. The difficulties between the contending parties are as far from a solution as ever, and the members representing the two factions in both houses are so nearly equal and so bitter that the collision, if it be allowed to come on, must be a very disastrous one.

The facts are not sufficiently apparent to justify me in committing the Government to either side. Tonight the [Radical] militia have substantially refused to act for the governor [Warmoth], and he is making use of the fact that the United States troops are now at the building, and have, at his request, been there before, as an evidence that the President has decided that his legislature is the legitimate one. It is impossible that this state of things can be continued. . . I therefore respectfully suggest that I should be instructed to declare martial law. . .

[January 13, 1872]. The end of this disturbance cannot be said to have been reached, for the State authorities here are so distasteful to all parties, republicans and democrats, black and white, that, unless some new turn is given to affairs, we must have a continuation of the scenes of the last few days, and I therefore urgently request that two companies of cavalry may be sent me. . .

The hostility here is not against the United States, but against the State government, which is odious beyond expression, and I fear justly so, and to suppress a riot it is only necessary to make a show of United States forces, however small, which cannot be done by the use of infantry with that facility necessary to stay an impending riot.

Anti-Warmoth Handbill

House Misc. Doc. no. 211, 42 Cong., 2 Sess., p. 318. Copy of handbill circulated among the negroes by the Packard faction.

[January 19, 1872]

TO ARMS! TO ARMS!! TO ARMS!!!
COLORED MEN, TO THE FRONT!

Warmoth's SLAVES at the Mechanics' Institute pretended to-day to expell Antoine, Adolph, Burch, Wilson, Kearson, Williams, Tureaud, Geddis, Johnson, Laurent, Kenner, Harper, Harry Lott, and other colored members of the house of representatives. Warmoth will next attempt to remove Ingraham and Antoine from the Senate.

Rally, on SATURDAY, at 10 o'clock, at the corner of Rampart and Canal Streets, and let those who have trampled on your rights as freemen and citizens tremble until the very marrow of their bones shakes. Let the cry be, DOWN WITH WARMOTH AND HIS THIEVING CREW.

RALLY! RALLY!! RALLY!!!
LIBERTY OR DEATH!

"The Usurpation of 1872"

McPherson, *Handbook, 1874*, pp. 101, 106. Telegrams. Casey, brother-in-law of the President, was a custom house official. McEnery had received a majority of votes and was declared elected by one returning board. Another board declared Kellogg elected, and he was supported by the Federal authorities. Warmoth, being under impeachment by the Kellogg legislature, was not recognized as governor by the Washington administration. [December, 1872]

[New Orleans, December 6]

PRESIDENT GRANT:

Marshal Packard took possession of state-house this morning at an early hour with military posse, in obedience to a mandate

of circuit court, to prevent illegal assemblage of persons under guise of authority of Warmoth's returning board in violation of injunction of circuit court. Decree of court just rendered declares Warmoth's returning board illegal, and orders the returns of the election to be forthwith placed before the legal board. This board will probably soon declare the result of the election of officers of State and Legislature, which will meet in State House with protection of court. The decree was sweeping in its provisions, and if enforced will save the republican majority and give Louisiana a republican Legislature and State government, and check Warmoth in his usurpations. Warmoth's democratic supporters are becoming disgusted with him, and charging that his usurpations are ruining their cause.

JAS. F. CASEY.

New Orleans, December 13.

ADJUTANT GENERAL U. S. A., Washington:

There is imminent danger of immediate conflict between the two armed bodies of men of some considerable numbers, one body of State militia, representing Governor Warmoth, holding an arsenal; the other an armed body of police, representing Governor Pinchback. I have been appealed to to interfere. Shall I do so; and if I interfere to which party shall the arsenal be delivered? The parties are face to face with arms in their hands. I beg an immediate answer. I sent an officer to try what can be done by persuasion to suspend the conflict until an answer can be received. There will be no resistance to the Federal forces.

W. H. EMORY,
Colonel Commanding.

Washington, December 14.

GENERAL W. H. EMORY, U. S. A.,
Commanding New Orleans, Louisiana:

You may use all necessary force to preserve the peace, and will recognize the authority of Governor Pinchback.

By order of the President,

E. D. TOWNSEND, Adjutant General.

Either Civil War or Military Rule

Senate Report no. 457, 42 Cong., 3 Sess., p. xlix. Report of a committee of Congress. Congress did not act and President Grant continued to support Kellogg. [February 20, 1873]

THE people of the State are about equally divided in sentiment in regard to these two pretended governments. The people of New Orleans, which is the seat of government, support the McEnery government, two to one; and it is believed that if Federal support were withdrawn from the Kellogg government it would be immediately supplanted by the McEnery government. . . Neither government can collect taxes, for the people have no assurance that payment to one will prevent collection by the other government. Business is interrupted, and public confidence destroyed; and should Congress adjourn without making provision for the case, one of two things must result: either collision and bloodshed between the adherents of the two governments, or the President must continue the support of federal authority to the Kellogg government. The alternative of civil war or the maintenance by military power of a State government not elected is exceedingly embarrassing; and in the opinion of your committee the best solution of this difficulty is for Congress to order a re-election, and provide for holding it under authority of the United States; to the end that a government may be elected by the people, to which they will submit, or which, in case of disturbance, the United States can honestly maintain.

Preparing for Revolution

MS. Diary of David French Boyd, president of Louisiana State University. Colonel Boyd was in New Orleans during the Revolution of 1874. [1874]

July 23, 1874. Politics is beginning to run high. The negroes last session of the legislature were so domineering and exacting that it disgusted and exasperated the whites: so that *White Leagues* are forming to put down the negroes and carpetbaggers. . . But I think the true political line is between the two extremes. The whites and blacks must live together here in Louisiana, and they should learn to do so quietly and peaceably. The political influence at Washington, exerted through the

Custom House officials here in Louisiana, and the Carpetbaggers, is the bane of this country. If left alone, the negroes and old white citizens would never have any trouble. Many whites seem determined to break up the present State.

August 9, 1874. . . Had a talk on board with Beauregard (colored) from Baton Rouge. I told him I was afraid there would be trouble and violence this fall; but the Democrats or white-leaguers would not hurt the negroes if they could help it — that it was the carpetbaggers and scalawags they were after.

August 25, 1874. . . The resolutions etc. [of the White Leaguers] announced are, I think, too extreme. The gist of the whole proceedings is a declaration of war; but is that necessary? I think not. I never saw such unanimity. The people are determined to get rid of the carpetbaggers. Having gone as far as they have — having *talked* as they have, they ought (in consistency) to go one step further — resolve to fight any power — even the United States — which stands between them and the salvation of their state. And that is why I think a milder policy — a more conservative position the true one. How ridiculous it would be to fight for their rights up to the United States bayonets, and then stop! Why, the United States is at the bottom of all the evils and oppressions, and miseries that inflict Louisiana. I repeat that the good people of Louisiana having gone as far as they have done, ought to go a little farther, to be reasonable and consistent in act with their talk — be ready to fight Uncle Sam, if he upholds the carpetbagger against the white (decent) people. . .

August 31, 1874. The state will be all disorder; and what chances will our poor school have? In ten days several parishes will, no doubt, run away the carpet-bag office holders; and unless General Grant interferes strongly very soon, I think Mr. Kellogg will be in danger of violence. . .

September 2, 1874. . . Had a long talk last night with David N. Barrow, whom I found very conservative and very sensible. He will not go with the people's party. He thinks it is bound to come to grief, and result in placing the people

in much worse condition than now; and he thinks that by not joining in it, he will be in [better position] to be of service to Louisiana. I told him I would join the movement (*not the White League*), as a white citizen of Louisiana, since that was the view of our better citizens almost unanimously, provided they would *not* foolishly (and cowardly, I thought) *stop* after driving out the carpetbaggers, when the real author of carpet-baggery (Uncle Sam) stepped upon the stage. I know of course what will be the result; but it is cowardly to make war on the carpet-bagger, and slink from the blue coat. . .

September 4, 1874. . . Grant is going to send troops here; and his action paralyzes the White Man's Party in New Orleans. A miserable set we are in action, as well as council. Have seen Fred F——— and Mr. F——— today. They tell me there is no unity of action — no well-defined purpose of the would-be leaders. A few more poor devils of carpet-baggers may be shot — and we shall fail.

September 9, 1874. . . I think a fight — a bloody fight is inevitable. I told Mr. Anderson [Radical] last night that while I was urging peace — or rather a policy that would *compromise* our troubles — yet if the program [White League] laid at Baton Rouge was to be inaugurated, I wanted it fought out to the bitter end — even if we had to fight Uncle Sam — and that I was going with our people — the people of Louisiana! How contemptible to war on a few devils of carpet-baggers, and then when Uncle Sam, the daddy of all the carpet-baggers, comes to uphold them, to run like curs! Surely we of Louisiana are made of better stuff.

September 17, 1874. . . [After witnessing the fight of September 14] I would not have a gun fired here in New Orleans if I could help it; but I would make United States show force enough to drive me away to West Louisiana, when I would make my stand. Not in a spirit of dissension, or against the integrity of the laws of the country, but in defense of the spirit of American liberty would I now, having begun, fight even the United States *in the Union,* to the bitter end.

Uprising of the People

House Report no. 261, 43 Cong., 2 Sess., p. 1026. Proclamation issued by Penn (McEnery being absent), after Kellogg refused to resign and fled to the custom house. [September 14, 1874]

For two years you have borne with patience and fortitude a great wrong. Through fraud and violence the government of your choice has been overthrown and its power usurped. Protest after protest, appeal after appeal to the President of the United States and to Congress have failed to give you the relief you had a right under the constitution to demand.

The wrong has not been repaired. On the contrary, through the instrumentality of partisan judges you are debarred from all legal remedy. Day by day taxation has been increasing, with costs and penalties amounting to confiscation of your property; your substance squandered; your credit ruined, resulting in failure and bankruptcy of your most valued institutions. The right of suffrage is virtually taken from you by the enactment of skillfully-devised registration and election laws.

The judicial branch of your government has been stricken down by the conversion of the legal *posse comitatus* of the sheriff to the usurper, for the purpose of defeating the decrees of the courts; his defiance of law leading him to use this very force for the arrest of the sheriff himself, while engaged in the execution of the process of the court.

To these calamities may be added a corrupt and vicious legislature, concocting laws, in violation of the constitution, for the purpose of guarding and perpetrating their usurped authority — a metropolitan police paid by the city, under the control of the usurper, quartered upon you to overawe and keep you in subjection.

Every public right has been denied you, and, as if to goad you to desperation, private arms are seized and individuals arrested. To such extremities are you driven that manhood revolts at further submission.

Constrained from a sense of duty, as the legally-elected lieutenant-governor of the State, (acting governor in the absence of Governor McEnery) I do hereby issue this my proclamation, calling upon the militia of the State, embracing all persons

between the ages of eighteen and forty-five years, without regard to color or previous condition, to arm and assemble under their respective officers, for the purpose of driving the usurpers from power.

Given under my hand and seal the 14th day of September, 1874.

D. B. Penn,
Lieutenant-Governor.

The Battle in New Orleans

House Report no. 261, 43 Cong., 2 Sess., pp. 803-806, 831, 1026. (1) The White League furnished the militia. (2) The account of the fight is from the *Picayune* of September 15. In the fight Badger and Longstreet commanded the negro Metropolitans and Ogden and Behan commanded the White League militia.

[September 14, 15, 1874]

[1] General Order No. 1.

Executive Department, State of Louisiana,
New Orleans, September 14, 1874.

1. Gen. Frederick N. Ogden is hereby appointed provisional general of the Louisiana State Militia, and will at once assume command and organize the militia into companies, regiments, and battalions.

2. General Ogden will report the names of his staff, regimental, and company officers to this department forthwith to be commissioned.

By command of ——

D. B. Penn,
Lieutenant-Governor, Acting Governor and Commander-in-Chief of Louisiana State Militia.

[2] At a quarter past four, [September 14] Badger, with his men and guns, marched forward on the levee.

The other body of police prepared to support him; but, being fired on when near Common street, they returned to their old quarters, near the custom-house.

The Badger army kept on until they had almost reached Gravier street, and ensconced themselves behind some bales of hay.

Company E of the Crescent City White League, and Protector White League of the second district, which were sta-

tioned on the extreme right of the line, advanced along the levee, moving behind a large pile of hay, resting there. They kept up a constant fire on the metropolitans, as did also Company A, Crescent City White League, stationed on Poydras street. This fire was very telling, almost every shot bringing down a metropolitan. The latter, however, continued their fire, both small arms and mitrailleuse.

The two advancing companies continued on their march until they had reached the head of Canal street, on the wharf proper, thus flanking the enemy. Here their fire was so galling that the metropolitans became somewhat demoralized, turned their cannon on them, and commenced firing toward the river. The fire of the citizens then became terrific, and the metropolitans became greatly demoralized. . .

At about 7 o'clock the citizens were in complete possession of the city, save the Saint Louis Hotel [the Capitol], occupied by about a dozen peelers and a gang of negroes, and the third precinct station occupied by the remnant of the metropolitan brigade, now only about two hundred in number, and rapidly decreasing by desertions and resignations. Among the resignations we may mention that of Captain McCann.

The city-hall, the telegraph offices, the streets, were all held by the citizens, and with Lieutenant-Governor Penn acting as governor. . .

As might have been expected, after the decisive victories of yesterday and the consequent demoralization of the Kellogg forces, the "finish" this morning was a very brief and unexciting affair. About half past 8 o'clock the State-house was occupied by the citizens' forces, and by 9 o'clock the third precinct station and Kellogg armory, the last of the radical government, was, after a sharp little assault, captured and appropriated.

So ends the Kellogg regime. Big, inflated, insolent, and overbearing, it collapsed at one touch of honest indignation and gallant onslaught. Its boasted armament dissolved before the furious rush of our citizens; its sneering, thieving, unscrupulous

chieftains hid like moles, and its mercenaries fled like stampeded cattle.

A dozen gallant lives, worth more than all the sneaking carpet-baggers and ruffian soldiery that ever squatted on a State's carcass, have been sacrificed on the altar of liberty; the blood of gentlemen and patriots has dyed the stones of our thoroughfares, and the shock is over. The Kellogg dynasty has passed into a black and bitter memory, and Louisiana throughout its borders to-day is free.

Appeal to the President

(1) *Annual Cyclopedia, 1874*, p. 481. (2) Richardson, *Messages and Papers*, vol. vii, p. 276. [September 14, 15, 1874]

[1] *New Orleans, September 14th, 1874.*

To U. S. GRANT, President of the United States:

Hopeless of all other relief, the people of this State have taken up arms to maintain the legal authority of the persons elected by them to the government of the State against the usurpers, who have heaped upon them innumerable insults, burdens, and wrong. In so doing they are supported by the great body of the intelligent and honest people of the State. They declare their unswerving loyalty and respect for the United States Government and its officers. They war only against the usurpers, plunderers, and enemies of the people. They affirm their entire ability to maintain peace, and protect the life, liberty, and equal rights of all classes of citizens. The property and officials of the United States it shall be our special aim to defend against all assaults, and to treat with the profoundest respect and loyalty. We only ask of you to withhold any aid or protection from our enemies and the enemies of republican rights, and of the peace and liberties of the people.

D. B. PENN,
Lieutenant-Governor and Acting Governor.

[2] Whereas it has been satisfactorily represented to me that turbulent and disorderly persons have combined together with force and arms to overthrow the State government of

Louisiana and to resist the laws and constituted authorities of said State; . .

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby make proclamation, and command said turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within five days from this date, and hereafter to submit themselves to the laws and constituted authorities of said State; and I invoke the aid and cooperation of all good citizens thereof to uphold law and preserve the public peace.

The Revolution Fails

Annual Cyclopedia, 1874, p. 482. President Grant sent troops and warships to New Orleans, and ordered Kellogg to be restored to office. [September 17, 1874]

GENERAL BROOKE: As the lawful and acting Governor of this State, I surrender to you, as the representative of the Government of the United States, the Capitol and the remainder of the property in this city belonging to the State. This surrender is in response to a formal demand of General Emory for such surrender, or to accept as an alternative the levying of war upon our government by the military forces of the United States under his command. As I have already said to General Emory, we have neither the power nor the inclination to resist the Government of the United States. . . Our people could bear the wrongs, tyranny, annoyance, and insults of that usurpation no longer, and they arose in their might, swept it from existence, and installed in authority the rightful government of which I am the head. All lovers of liberty throughout the Union must admit the patriotism that aroused our people to act as one man, and throw off the yoke of this odious usurpation. I know as a soldier you have but to obey the orders of the Government of the United States, but I feel that you will temper your military control of the affairs with moderation, and in all things exhibit the integrity of purpose characteristic of officers of the army.

JOHN MCENERY.

Conditions after the Revolution

MS. Diary of David French Boyd. President Boyd had long been a friend of General Sherman's and at the request of the Conservative leaders kept Sherman informed as to the incidents of the revolution. The guns referred to were cadet muskets at the State University, which was a military school. It was feared that the negro forces would attempt to seize them. [1874]

September 17, 1874. . . I telegraphed Sherman again Thursday that the restoration of Kellogg was the beginning of anarchy and lawlessness, and that a proper regard for the protection of life and property demanded that a military, or provisional Government should be formed. . . Have three breech loading Springfield muskets, and a number of Enfields loaded in the Professors' rooms on the 5th and 4th floors. Walker also has one, and Bob Ferguson is ready with his six shooter to help us. And the cannon can be spiked in a moment or two — the bell rung, as well as one or two muskets fired as an alarm for the young men of Baton Rouge who will come to our support. I will not give up my *guns* here, except to the United States military, or to some officer of Governor Kellogg, who may promise on his honor to take them to New Orleans, not to be used here. But I do not wish to give them to Kellogg at all. Surely such a miserable, weak, contemptible creature cannot rule longer over Louisiana, even tho' he may be backed by U. S. Army — he must go to pieces from his own rottenness. . .

Nov. 17, 1874. . . There seems to be much fear among our people that the Radicals will somehow cheat them out of the results of the late election. They will certainly do it, if they can. What a burlesque truly has this become on the government bequeathed to us by our Fathers.

Dec. 7, 1874. To-day Congress meets; and the people of Louisiana are looking forward anxiously to their action and that of the President, regarding our state affairs. The Returning Board is evidently awaiting the meeting of Congress; and if that body and the President show a disposition to uphold Kellogg, and, at all hazards, maintain Radicalism in Louisiana, then Wells, Anderson & Co. will, no doubt, rule accordingly — throw out the vote of DeSoto, count as many Radicals into

the Legislature, as they choose, and, in a word, do all manner of villainy. If such should be done, then the people ought to rise — cost what it may, hang the Radical leaders, and drive every carpet-bagger and scalawag out of the state. They should not wait for the Returning Board to make their returns. When DeSoto Parish may be thrown out, then the members of the Returning Board (except Aroyo) and Governor Kellogg, and Packard, and Lowell, and Antoine, and Longstreet, etc., etc., should all be *seized and hung*. . .

Jan. 5, 1875. All is excitement about the high-handed outrage of the U. S. Military and Kellogg yesterday.[1] What next? Yes — what next. Sheridan assumed command of New Orleans yesterday; and no doubt the whole outrageous affair was concocted in Washington. . . Sheridan is now denouncing our poor people as "Banditti." And how can we stand up under all we have to bear — and it seems the trouble is never to stop — is more than I can conceive. But we must trust to Providence.

Mar. 3, 1875. . . We are all uneasy about the probable passage of the *Force Bill*. It does look as if General Grant is several centuries behind the world as a civil ruler.

An Army Officer's Report on Conditions in Louisiana

Senate Ex. Doc. no. 17, 43 Cong., 2 Sess., p. 72. Report of Col. Henry A. Morrow, who, after the September revolution and the November elections, was sent by General Emory to investigate conditions in the country districts. [December 24, 1874]

RESPECT and regard for the General Government are expressed by all classes of people, and so is the determination not to be, under any circumstances, brought into collision with the Federal troops; but there is a universal expression of contempt for the State government, and, so far as language could express it, there is open defiance of its authority. The governor is everywhere, and by almost every white man, denounced as a "usurper," and the determination is openly expressed by nearly every white man not to submit to his usurpation longer than submission is compelled by the presence and force of Federal soldiers.

1. Dispersed the Conservative legislature. See page 156.

Dissatisfaction and discontent are plainly visible in all the acts and conversation of the people, and the result is manifest in almost every department of business. Uncultivated fields, unrepaired fences, roofless and dilapidated dwellings, and abandoned houses meet the eye at every step, and the whole aspect of the country has a look of poverty and neglect. The schools in many parishes are closed for want of money to pay the teachers, and I was told again and again that the school-funds had been stolen by the State officials. In one parish a criminal court had not been held in nearly two years, and in other parishes no court, criminal or civil, had been held for a long time. In a community where there is no court crime finds a genial soil, and the natural result is that the law has fallen into disregard and disrepute. Judges were openly charged with corruption, and money, and not justice, is charged with turning the judicial scales.

The people . . seem to believe, that the machinery of the federal courts had been used to oppress them for political ends, and that the federal troops had been used for political purposes. . . It was represented to me that the marshals are in the habit of prowling through the country in the night time, accompanied by a posse of soldiers, to make arrests of citizens who could be arrested by the marshal unaided, and, under any circumstances, should be arrested in the open daylight.

These night arrests seemed to have a peculiar terror for the people, and my attention was repeatedly called to them. Another subject of complaint was the fact that citizens are arrested without the shadow of a cause, and after long and vexatious delay and great expense, are set at liberty without . . even a preliminary hearing. . . The complaints against the State officers were so numerous that mere enumeration of them would fill a volume. Corruption and jobbing in office; partiality and favoritism in the administration of justice; exorbitant taxes, rising in some instances, to seven and eight per cent. on the appraised value of the property; a ruined credit; a depleted State and parish treasury; enormous debts, State and parish; and multiplication of officers in the person of favored individ-

uals, are a few of the charges made by the people against their State authorities.

The political condition of the State is the one subject of conversation everywhere, in public and private, and among all classes, except the negro, who feels no interest in it, because he does not comprehend it. The dissatisfaction is wide-spread and deep, and I am firmly convinced that sooner or later there will be an outbreak of public feeling which will be attended by scenes of fearful violence. The determination to escape from the rule of the present State government is fixed in every mind, and, whenever the opportunity presents itself, a blow will be struck for the "liberation of Louisiana," to use the expression in common use. A combination of organizations among the white men ramifies every parish and neighborhood, and there is perfect unanimity of sentiment, and will be concert of action whenever the time comes to take a decisive stand. Without going into needless details, I give the following as my deep-seated convictions; the present State government can not maintain itself in power a single hour without the protection of federal troops. I do not believe that the present State authorities, even with the protection of Federal troops, will be able to collect taxes and perform the functions of government after an early day in the new year. Opposition to them will be made at every turn, and every step they attempt to take will be beset with obstructions. Outside of New Orleans there is no party or organization in the State with sufficient strength or influence to afford the slightest aid. The State government has not the confidence or respect of any portion of the community. . . I not only do not believe, but I am absolutely certain, that there will not be at any time, in Louisiana any organized or authorized resistance to the General Government. If the expressions of the people are to be believed, and I do believe them, there is very sincere desire to live quietly under the protection of the Constitution of the United States and enjoy the blessings of the National Government. But there is no disguising the fact [that] the protection afforded by the Federal administration to the government of the present State executive is the

cause of bitter personal and political feeling in the breasts of nineteen-twentieths of the white inhabitants of the State. . .

If Congress fails to legislate, a standing military force in almost every parish will be necessary to give protection to persons of the agents of the State executive, but a military force cannot compel people to pay taxes and do a thousand things necessary to good government, and I think, therefore, there is danger of the State organization coming to a standstill for want of necessary agents and machinery to keep it in motion.

Legislature Broken up by Troops

Senate Doc. no. 209, 57 Cong., 2 Sess., p. 160. Telegram from L. A. Wiltz, Speaker, to President Grant. In the November, 1874, elections the Conservatives won the majority of the legislature. The legislature was not united until March, 1875. [January 4, 1875]

I HAVE the honor to inform you that the house of representatives of this State was organized today by the election of myself as speaker, 58 members, two more than a quorum, voting, with a full house present. More than two hours after the organization I was informed by an officer in command of the United States troops in this city that he had been requested by Governor Kellogg to remove certain members of the house from the statehouse, and that under his orders he was obliged to comply with the request. I protested against any interference of the United States with the organization or proceedings of the house, but, notwithstanding this, the officer in command marched a company of soldiers upon the floor of the house and by force removed 13 members who had been legally and constitutionally seated as such. . . In addition to this the military declared their purpose to further interfere with force in the business or organization of this assembly, upon which some fifty-two members and the speaker withdrew, declining to participate any longer in the business of the house under the dictation of the military. As speaker I respectfully appeal to you to know by what authority and under what law the United States Army interrupted and broke up a session of the house of representatives of the State of Louisiana, and to urgently

request and demand that they be ordered to restore the house to the position it occupied when they so interfered; and, further, that they be instructed that it is no part of their duty to interfere in any manner with the internal workings of the general assembly. The house is the representation of the sovereignty of the State, and I know of no law which warrants either the executive of the State or the United States Army to interfere with its organization or proceedings.

Sheridan's "Banditti" Telegram

Senate Ex. Doc. no. 13, 43 Cong., 2 Sess., pp. 23, 25. Sheridan had been sent to New Orleans with instructions to look over the situation and if necessary to take command. [January 5, 1875]

[*New Orleans, January 5, 1875.*]

W. W. BELKNAP, Secretary of War,
Washington, D. C.:

I think that the terrorism now existing in Louisiana, Mississippi, and Arkansas could be entirely removed and confidence and fair-dealing established by the arrest and trial of the ringleaders of the armed White Leagues. If Congress would pass a bill declaring them banditti they could be tried by a military commission. The ringleaders of this banditti, who murdered men here on the 14th of last September, and also more recently at Vicksburg, Miss., should, in justice to law and order and the peace and prosperity of this southern part of the country, be punished. It is possible that if the President would issue a proclamation declaring them banditti, no further action need be taken, except that which would devolve upon me.

P. H. SHERIDAN,
Lieutenant-General U. S. A.

The Wheeler Adjustment

McPherson, *Handbook, 1876*, p. 200. In order to settle the disputes about the Louisiana legislature a committee of Congress and the Conservatives of Louisiana made the following compromise, which made Kellogg safe nearly two years longer and secured to the Conservatives control of the lower house. [March, 1875]

New Orleans, March, 1875.

WHEREAS, It is desirable to adjust the difficulties growing out

of the general election of this State, in 1872, the action of the Returning Board in declaring and promulgating the results of the general election, in the month of November last, and the organization of the House of Representatives, on the 4th day of January last, such adjustment being deemed necessary to the re-establishment of peace and order in this State.

Now, therefore, the undersigned members of the Conservative party, claiming to have been elected members of the House of Representatives, and that their certificates of election have been illegally withheld by the Returning Board, hereby severally agree to submit their claims to the Seats in the House of Representatives to the award and arbitrament of George F. Hoar, William A. Wheeler, William P. Frye, Charles Foster, William Walter Phelps, Clarkson N. Potter, and Samuel S. Marshall, who are hereby authorized to examine and determine the same upon the equities of the several cases; and when such awards shall be made, we hereby severally agree to abide by the same.

And such of us as may become members of the House of Representatives, under this arrangement, hereby severally agree to sustain by our influence and votes the joint resolution hereinafter set forth.

[Here follow the signatures of the democrats who claimed that their certificates of election as members of the House of Representatives had been illegally withheld by the Returning Board.]

And the undersigned claiming to have been elected Senators from the Eighth and Twenty-Second Senatorial Districts, hereby agree to submit their claim to the foregoing award and arbitrament, and in all respects to abide the results of the same.

[Here follow the signatures of the Democrats who make a like claim as to seats in the Senate.]

And the undersigned holding certificates of election from the Returning Board, hereby severally agree that upon the coming in of the award of the foregoing arbitrators they will, when the same shall have been ratified by the report of the

Committee on Elections and Qualifications of the body in session at the State House claiming to be the House of Representatives, attend the sitting of the said House for the purpose of adopting said report, and if said report shall be adopted, and the members embraced in the foregoing report shall be seated, then the undersigned severally agree that immediately upon the adoption of said report they will vote for the following joint resolution:

[Here follow the signatures of the Democratic members of the House of Representatives in relation to whose seats there was no controversy.]

JOINT RESOLUTION

Resolved, by the General Assembly of the State of Louisiana, That said Assembly, without approving the same, will not disturb the present State Government claiming to have been elected in 1872, known as the Kellogg Government, or seek to impeach the Governor for any past official acts, and that henceforth it will accord to said Governor all necessary and legitimate support in maintaining the laws and advancing the peace and prosperity of the people of this State; and that the House of Representatives, as to its members, as continued under the award of George F. Hoar, W. A. Wheeler, W. P. Frye, Charles Foster, Samuel S. Marshall, Clarkson N. Potter and William Walter Phelps, shall remain without change except by resignation or death of members until a new general election, and that the Senate, as now organized, shall also remain unchanged except so far as that body shall make changes on contests.

TEXT OF THE AWARD

New York, March 13, 1875.

The undersigned having been requested to examine the claims of the persons hereinafter named to seats in the Senate and House of Representatives of the State of Louisiana and having examined the returns and the evidence relating to such claims, are of opinion, and do hereby find, award and determine,

that . . [one Conservative senator and twelve Conservative members of the lower house who had been excluded by Kellogg and the Federal authorities, were entitled to seats in the legislature].

In regard to most of the cases, the undersigned are unanimous; as to the others the decision is that of a majority.

George F. Hoar,
W. A. Wheeler,
W. P. Frye,
Charles Foster,
Clarkson N. Potter,
William Walter Phelps,
Samuel S. Marshall.

Two Governors in Arkansas

Senate Ex. Doc. no. 51, 43 Cong., 1 Sess., p. 6. Letter of W. T. Brown, a Republican who voted for Baxter, to President Grant.

[April 30, 1874]

In the first place, Mr. Brooks was one of those extremest outspoken radicals; but in 1872 he deserted his party and ran on the Greeley or reform ticket for governor; got the democratic votes entire and I suppose there is not a man in the State at all posted but is satisfied he was elected by several thousand majority. But Baxter was the republican candidate, and was counted in. He had been a circuit judge, and by those best acquainted with him was considered one of those good, easy, clever men, but weak. As soon as he was sworn in, he began to favor the very men who had him in the penitentiary during the war for being opposed to secession. He did this to stop the cry of fraud and usurpation from the democratic press of the State. He succeeded; and to-day, most of the democratic desperadoes of the State are at his back. The same men that murdered four hundred loyal men in 1868 in Arkansas are to-day Mr. Baxter's aiders. I consider that both Mr. Brooks and Baxter are traitors to the republican party, and are unworthy the confidence of any good man. But there is no doubt of Mr. Brooks's election. But the turn things have taken in

the premises is disgraceful in the extreme. Those who elected Mr. Baxter are now generally favorable to Mr. Brooks, and vice versa.

"The Riot in Arkansas"

House Ex. Doc. no. 229, 43 Cong., 1 Sess. Telegram to President Grant. [April 21, 1874]

FOR the sake of law and order take some steps to suppress the riot in Arkansas. Every good citizen will abide your command. Speak and we'll obey. The general impression is that you will not interfere. Thus they keep up the fight. Will you save us? We are in a pitiable condition. For God's sake help us. Our whole salvation depends upon our crops. If this matter continues much longer we are ruined. There is not a man in Arkansas but what will obey your orders, if you will only demand. President Grant, you can stop this muddle if you will, and if you do not you are responsible for our ruin. Know from whence this comes. We do not care — and I speak the sentiments of the people of Arkansas . . — who is governor. All we want is peace.

President's Proclamation on Arkansas

Richardson, *Messages and Papers*, vol. vii., p. 272. Baxter was restored and a convention was called which made a new constitution and ordered another election. A. H. Garland was elected governor. Baxter was willing, but the President wanted Congress to undo the work of the convention. [May 15, 1874]

WHEREAS certain turbulent and disorderly persons pretending that Elisha Baxter, the present executive of Arkansas, was not elected, have combined together with force and arms to resist his authority as such executive and other authorities of said State; and

Whereas said Elisha Baxter has been declared duly elected by the General Assembly of said State, as provided in the constitution thereof, and has for a long period been exercising the functions of said office, into which he was inducted according to the constitution and laws of said State, and ought by its citizens to be considered as the lawful executive thereof; . .

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby make proclamation and command all turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within ten days from this date, and hereafter to submit themselves to the lawful authority of said executive and the other constituted authorities of said State; and I invoke the aid and co-operation of all good citizens thereof to uphold law and preserve public peace. [1]

1. See Chapter XIII, sec. 1.

IX

EDUCATIONAL PROBLEMS OF RECONSTRUCTION

IX

EDUCATIONAL PROBLEMS OF RECONSTRUCTION

INTRODUCTION

No more important problems were left by the Civil War for future settlement than those relating to the churches and to education in the former slave states. Much of the trouble and the bitterness that resulted from the various attempts to solve the educational and church problems was due to mutual misunderstandings and to the fact that the plans formed by Northern teachers and missionaries for use in the South were based on ignorance of actual conditions.

The Northern view of the situation, as shown by the various reports and addresses published by the teachers' associations, the Freedmen's Aid societies of the churches, the missionary societies, and the Freedmen's Bureau, may be summarized somewhat as follows: (1) The South had had no public education, was opposed to it, and such education as had been given was based on wrong principles and had resulted in secession, rebellion, etc.; (2) the poor whites were densely ignorant and this ignorance, exploited by unscrupulous leaders, had been made the basis of the Confederacy; (3) not only were the Southern leaders opposed to the general education of the white masses, but all classes were opposed to any education of the recently freed negroes; (4) the main difference between the negro and the white was due to the enforced ignorance of the former — a difference which might speedily be removed. The views of the Southern whites may be given as follows: (1) The leaders (those

who had been leaders in state and church) recognized the changed conditions of the negro and favored education, under Southern supervision, to fit the negro race for citizenship; therefore, under the leadership of such men as Dr. J. L. M. Curry of Alabama, Gov. J. L. Orr of South Carolina, and Gen. John B. Gordon of Georgia, the church organizations, newspapers, the officials of the provisional governments, and meetings of citizens, in all the states made declarations favoring and forming plans for negro education, and established schools; numerous white teachers instructed the negroes; (2) the masses of the whites were undecided or indifferent; (3) the lower and more ignorant class of whites were strongly opposed to educating the negro; (4) in the Black Belt the whites were generally friendly to negro education, and in the white districts was found the strongest opposition. As to the negroes themselves they were eager for education and were inclined to prefer that offered by the Northerners who had freed them. In regard to the education of the negro of this period a Hampton teacher has said that "when the combat was over and the 'Yankee' school ma'ams followed in the train of the Northern armies, the business of educating the negroes was a continuation of hostilities against the vanquished South, and was so regarded, to a considerable extent, on both sides."[1]

With the Federal armies came the Northern teachers, sent by missionary or aid societies or by the churches, or brought in by the Freedmen's Bureau, which favored these and not the Southern efforts to educate the blacks. Not only did they organize schools for blacks, but they were placed in charge of the city school systems for the whites where any such had survived to the end of the war.

Under the elaborate systems of the Reconstruction gov-

1. Alice M. Bacon, in Slater Fund Trustees, *Occasional Papers*, No. 7.

ernments, after 1868, attempts were made to force the attendance of whites and blacks in the same schools, but only in South Carolina, Florida, Mississippi, and Louisiana were mixed schools made legal. This policy was not demanded by the negro race, and was opposed by the "scalawags." It was advocated by the "carpetbaggers" and a few negro leaders, chiefly mulattoes. The whites refused to attend such schools. In all the states the school systems broke down for lack of funds. In no state were the teachers paid in full and after 1870 salaries were rarely paid except in cities. Schools were revived after the overthrow of the Reconstruction governments, but were hampered by the heavy debts left by the carpetbag régime, and were for a decade or more poorer than the ante-bellum schools had been.

The Southern whites objected to the kind of education given by the Northern teachers and in the Reconstruction schools. They complained that the teachers were political emissaries and taught doctrines of social equality, that they made the blacks dislike the whites, that the teachers were often fanatical or of bad character, that the schools were centers of trouble, that in the white schools textbooks hostile to the South were used and the pupils forced to sing Northern songs about the war, etc. On the other hand the Northern teachers complained that they were socially ostracised and sometimes mistreated, and that the Ku Klux Klan burned their schoolhouses.

During Reconstruction the number of the whites who opposed negro education increased, and the Northern teachers, at first enthusiastic, became discouraged not only because of the treatment received, but because of lack of results. The education they had given to the negro was better suited to people higher in the scale of civilization. Many returned North. The end of Reconstruction saw a great decline in negro illiteracy, but

an increase in white opposition because of the nature of the education given and its results. The most promising sign for the future was the development of the Hampton-Tuskegee plan during this period of discouragement. The problems with which Reconstruction began are, on the whole, unsolved, except in so far as Armstrong and Washington have solved them.

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1. NORTHERN VIEWS OF THE EDUCATIONAL PROBLEMS OF RECONSTRUCTION

Education as an Element in Reconstruction

Proceedings National Teachers' Association, 1865 and 1870. The session of the National Teachers' Association in 1865 was devoted principally to discussing the question of education in the South. The speeches of the leaders are useful to illustrate the feelings, opinions, and knowledge of conditions upon which the educational part of the Reconstruction was largely based. [1865, 1870]

[S. S. Greene, President N. T. A., 1865] How was it in the states where the institution of slavery prevailed? There was no Common School System. . . The children of a large portion of the population were, by law, prohibited the advantages of an education; and a large portion of the free population were virtually shut out from the means of early culture. These two sections of the country, from the necessities of the case, must be parted from each other, by different tastes, different views of life, different aspirations, different judgments as to right and duty as to the true functions of government. Sectional and selfish jealousies are engendered. Designing men inflame and cherish them. Education is the chief unifying process on which we can rely for a permanent peace. Let our statesmen duly consider this point in the work of reconstruction. . . In the treatment of prisoners, in the treatment of those who have expressed opinions adverse to the prevailing power, in the free discussion of unwelcome topics, it is gratifying to see what control education has exerted over the government and the masses of the loyal States. Would that, in these respects, faithful history were not compelled to exhibit its darkest page in regard to the States lately in rebellion. . .

In the very act of emancipation there is the sacred promise *to educate.* Slavery has kept the word *education* out of our National Constitution. . . Slavery is dead, and we can now introduce into our Constitution the angelic agency of education. We can now, for the first time, meet the demands of humanity, civilization, and freedom. We can not only

teach the negroes, but we can emancipate the "poor whites" whom ignorance has kept so long in bondage. The old slave States are to be new missionary ground for the national schoolmaster, where, without regard to rank, age or color, he will teach all his pupils that learning and development are the first natural rights of man.

[Francis Wayland, 1865] The rebellion has tested the value of education. It has been a war of education and patriotism against ignorance and barbarism. . .

[President Hill of Harvard, 1865] The present hour opens peculiarly inviting fields of labor for those engaged in teaching, . . and in the new work of spreading knowledge and intellectual culture over the regions that sat in darkness.

[J. P. Wickersham, 1865] What can education do for the slaveholders? The great majority of those who formerly held slaves are now just what they were before and during the war; and I am extremely doubtful whether there are any means by which they can be made, as a class, good and loyal citizens. . . Events seem to show that nearly all are at heart still opposed to free governments, and to the crowning excellencies of free governments — free men, free thought, free speech and free schools. If pardoned, and permitted to retain their property and the privileges of citizens, they will soon attempt to regain their lost power in the State and National Governments, and to revive the aristocratic forms of Southern society. If pardoned, but not permitted to retain their property, or the privileges of citizens, a few may quietly submit to what they will consider their hard condition; some will leave the country — the more the better — while others will remain, to trouble every community in which they live with their ill-concealed treason. They have been already sadly miseducated, and they would scornfully reject all proffers of education at our hands. They are the thorns around which, and in spite of which, the wounds of the body politic must heal. We must treat them as Western farmers do the stumps in their clearings; work around them, and let them rot out. . .

What can education do for the non-slaveholding whites of

the South? . . The great majority are deplorably ignorant — more ignorant, . . than the slaves themselves. They were described by travelers in the South, before the war, not only as ignorant, but as idle and debased. Those who have seen much of the rebel armies or of the rebel prisoners during the war, can well believe that those accounts are not exaggerations. At Point Lookout, only about one out of twenty of the rebel prisoners could read and write; and these prisoners were equally intelligent with those confined elsewhere.

It was this ignorance that enabled the rebel leaders to create a prejudice in the minds of this class of persons against the North, and to induce them to enlist in their armies. . . As long as they are ignorant, they will remain the tools of political demagogues, and therefore be incapable of self-government. . .

What can education do for the freedmen? . . It still depends upon the North — upon us — whether the freedmen are to survive the "struggle for life" which they must now confront, or whether, like the native red men, they are to perish. . . To set the slaves free will be a doubtful blessing to them, if we do no more. American society has little patience with the weak and the thriftless. . .

[Andrew J. Rickoff, 1865] One class, because of the stability of slavery and the dominance of the slave-owning classes, was secure only in the ignorance of the poor whites, and they were at once too ignorant and too much under the influence and power of the slaveocracy to be induced to step forth in the march of improvement, and a third class were prohibited from learning to read, and the severest penalties of the statute laws were directed against persistence in teaching them, and the yet severer penalties of Lynch law, the gag, the thumbscrew, and the gallows, against even the suspicion of an attempt to do so. . .

He [the negro] must be strengthened against the views of the whites, and against the wiles, the guile and hate of his baffled masters and their minions.

[Gen. John Eaton, 1870] It should not be forgotten here that the sentiments which struggled for the overthrow of the Union had been the subjects of misguided instruction,

poisoning specially for a generation the channels of thought among the people of a large section of the country. On the other hand, the sentiments which sustained the Union existed, nay, were strong, clear and active, only to the extent that patriotic teachers and educational instrumentalities had made them so. Some one in 1861 fitly observed — "the plantation system and the school district system have come to a crisis."

The Negro's Capacity for Education

Report of New England Freedmen's Aid Society. [1865]

THEIR belief that reading and writing are to bring with them inestimable advantages, seems, in its universality and intensity, like a mysterious instinct. All who have been among them bear witness to this fact. As respects aptitude to learn, there is similar unanimity of testimony. It cannot be expected that a man or woman whose only school-training heretofore has been that of the plantation-school, or that children whose ancestors have been slaves for generations back, should show the same quickness that the children of New-England parents manifest. The negro adult or child, before he enters the Freedmen's school, has been at a very bad preparatory school. Slave-masters are not good schoolmasters: still, — due allowance made for parentage and training — it is not too much to say, that the aptitude at acquiring the elements of knowledge is, by the testimony of all our teachers, marvelous under the circumstances. They do not write as if they found calls for more patience than is demanded in our ordinary Northern schools. And it is a most significant fact, that the most enthusiastic are not the new teachers, but those who have been at their posts from the beginning. It may be of interest to some, to know that they do not find any difference, in respect to intellect, between those of pure blood and those of mixed blood.

The importance of the work of educating the freedmen, can hardly be exaggerated. Its results will reach into the future. . . The great mass of white men, who are now disloyal, will remain, for some time to come, disaffected. Black men who are now friendly will remain so. And to them must the

country look in a large degree, as a counteracting influence against the evil councils and designs of the white freemen.

Northern Songs in Southern Schools

House Report no. 16, 39 Cong., 2 Sess., pp. 239, 392, 399, 430. Statements of Northern teachers who had taught in New Orleans, 1863 to 1866. In the Southern cities where the army controlled teachers had to take the test oath and thus many Northern teachers were placed in the schools. There was objection to them and popular demand caused their removal in 1866. [1866]

[Testimony of Miss M. A. Armstrong:] I believe that over a hundred [teachers] were left out, and every one who made any display of patriotism in school, or encouraged the children to love the Union or to sing national airs. . . I was requested . . that songs obnoxious to the people should not be permitted. I handed the list of songs we were in the habit of singing to the superintendent and asked him to point out any that were obnoxious and I would leave them out. There was nothing but Union songs . . and war songs. . . I saw him afterward and asked him why I lost my position. He said he could but admire those who refused to teach and refused to take the oath under General Butler . . he told me that I had better not have anything sung obnoxious to the people. . . The Confederate cause was not permitted to be brought up on any occasion; but when I could bring up the Union cause I did so.

[Testimony of Miss Maria Taylor:] Once on a visit of the superintendent to my school he said he would like to hear some singing. I asked him what kind. He said nothing political. He knew there was nothing political sung there except on one side. The girls could not sing anything else and therefore did not sing. . . [We sang] such as Hail Columbia, Star Spangled Banner, and Yankee Doodle. . . Songs of that nature only. . . *Question.* Did you sing "John Brown's body lies a mouldering in the ground?" Yes, sir, we sung that. . . It was pretty hard to get some of the girls to sing it. . . I insisted on their singing anything that was determined to sing. . . We sung all the Union songs and all the war songs.

2. ATTITUDE OF THE SOUTHERN WHITES TOWARD NEGRO EDUCATION

An Appeal from the Freedmen

Selma (Alabama) *Times*, December 30, 1865. The appeal was signed by the leading negroes. [1865]

DEAR friends and former masters: We know there is a large number of widows and crippled men, who are well educated, and have no employment by which to make a living. These persons we would be pleased to see taking an interest in teaching our children, and training them up in the way they should go. We are greatly in want of schools, and to persons who will establish them, we will guarantee our undivided support. Our own people are the proper ones to teach us, and we sincerely wish them to do it. . . And why should it be considered a disgrace now to make a living at this business in the South? We make our living out of the people here, and therefore we think it our duty to spend our money with those who have sustained and taken care of us.

The United States Government and your State Convention gave us our freedom, and we prefer you to any other to have the money derived from our daily labor for teaching our children. If you all stand back, strangers will come in and take the money from under your hands and carry it away to build up their own country. They are not ashamed to make money from any class of men.

In Mobile the colored schools are taught by strangers, and they are making large sums of money. In that city alone, not less than 1200 or 1300 colored children are at school and all of them pay, with the exception of about ten or twelve.

We are trying to buy a lot in the suburbs of the city, upon which to build a school-house and church. If the teachers can get any place to make a commencement we will send our children at once.

"Shall the Negro be Educated?"

Selma (Alabama) *Times*, December 30, 1865. Editorial in answer to the "Appeal" printed above. [1865]

THE negroes are in our midst. We cannot get rid of them. It is absurd and impracticable to propose to send them out of the country. . . However much such a consummation is to be desired, it is not to be thought of for a moment by any sane man. . .

The negroes are among us, for good or evil; they must be taught to support themselves and contribute to the commonwealth; they must be made useful members of society; or, failing in this, they will become an insupportable tax upon the property, enterprise, and productive industry of the country, and the whites will be dragged down with them to a lower depth of poverty and woe than we have yet reached.

We have been the legal guardians of the negroes, and no legislation, no change of circumstances, can relieve us from the moral responsibility of such a relationship in the future.

They were born our slaves — they have grown up in our service; they have been taught to labor for us. . .

They did not seek freedom. They did not rebel against our authority. In the darkest hours of the past four years our properties and the treasures of our hearts were absolutely in their power and under their protection.

To their eternal honor be it recorded that despite the proclamations of the United States Government, the appeals of Federal army officers, and the instigation of emissaries from abroad, despite the tempting offer of freedom presented in the most attractive and seductive form, they everywhere were faithful, they nowhere committed a single outrage upon the defenseless ones in their midst. . .

As they must remain here, a due regard for the public weal imperatively requires that they shall be educated, taught at least to read and write. . .

Steeped in ignorance, they can never be made to understand the responsibilities that rest upon them as freedmen, or induced to perform the duties growing out of them. Other means, such as we have suggested, may prevent them from becoming

an unbearable burden upon society — may make them to some degree self-subsisting; but without the rudiments of education they can never be elevated above the condition of serfs, nor released from the tutelage and care of the whites — they must forever remain a tax, an incubus. . .

We have recognized the freedom of the negroes, admitted them into the courts as parties and as witnesses, guaranteed the protection of their property and persons — let it go further, and by such means as reflection and discussion shall show us to be practicable, not only to put it in their power to obtain the rudiments of education, but compel them to avail themselves of the proffered boon.

Why the Negroes should be Educated

Selma (Alabama) *Times*, June 30, 1866. Measures proposed by citizens of Oxford, Mississippi, June 12, 1866. [1866]

THAT the time has arrived when some measures should be adopted by the Southern people themselves to provide the ways and means of educating the freedmen, is a conviction to which we have been led by the following considerations:

1. This people are now thrown upon their own resources, in a state of freedom, for which they are, to a certain extent, unprepared.

2. They consider us, their former owners, to be now, as we have always been, their natural guardians and their best friends.

3. It is our interest, as well as our duty, to diffuse the blessings of education as widely as possible among all classes of people in our country.

4. If it ever was good policy to keep them ignorant, it certainly is no longer so, but the very reverse.

5. The right of suffrage will, in all probability, be given to this people at some future day.

6. Ignorant voters are the curse of our country.

7. If we do not teach them some one else will, and whoever thus benefits them will win an influence over them which will control their votes.

8. If we perform this service then we shall secure their identification with us in promoting all our interests.

So much for policy and interest — the least elevated form of the argument. Let us look at the subject in its moral bearings.

1. The church is the *light* of the world; it is therefore bound to illuminate the surrounding region. There is no special injunction to enlighten the white race only, but we are to *"preach the gospel to every creature."* "Search the Scriptures" is the command not addressed to our race only, but to mankind. God "commandeth *all men* everywhere to repent." We are unquestionably responsible to God for our influence and ability to do good. "The poor ye have always with you," is the declaration of our Saviour, and by his providential arrangement we are constantly reminded that we live not for ourselves alone; the colored race are now emphatically "the poor among the people."

2. But do we not owe it to them as a debt of gratitude? We remember how they, for our sakes, endured heat and cold, wet and dry, summer and winter, cultivating our fields, ministering to our comforts, promoting our wealth, improving the country, and actually advancing civilization, by their physical labor; attending upon us at all stages of our lives, nursing our children, waiting upon the sick, going with us to the burial of our dead, and mingling their tears with ours in the open grave. Can it be that all this is forgotten? And is it not a small return for all this that we are asked to make, when it is proposed that we shall give them that modicum of instruction which will enable them to read, or at least to know the way of life eternal? . .

But while we would not plead for the authority of great names as a sanction to our course, or an inducement to others, at the same time we rejoice to find, that in many parts of the South, the prominent citizens and official dignitaries are actively moving in this matter. In South Carolina, Gov. Orr and the first citizens of Charleston are urging the establishment of the common school system for the freedmen. In Alabama, ex-Governor Moore and ex-Congressman Curry are engaging in

the movement, and elsewhere in Mississippi, this field of labor is occupied by some of the most distinguished of our citizens. All this shows that the influence is at work which is to put into general operation an effective system of instruction for this people, in sacred and in secular knowledge. Let us, therefore, engage in the work in earnest, according as God shall open the way for us, and as you consider your duty in connection with the work, we ask you to decide upon that course that you will probably approve when the light of a coming eternity shall be shed upon the subject.

The Southern Churches and Negro Education

Senate Ex. Doc. no. 6, 39 Cong., 2 Sess., p. 11. Report of Gen. Wager Swayne, Assistant Commissioner of the Freedmen's Bureau in Alabama. [October 31, 1866]

QUITE early in the year the several religious denominations took strong ground in favor of the education of the freedmen. The principal argument was an appeal to sectional and sectarian prejudice, lest, the work being inevitable, the influence which must come from it be realized by others; but it is believed that this was but the shield and weapon which men of unselfish principle found necessary at first.

Advantage was immediately taken of the course of these religious bodies to extend the area of school operations. At towns and places where there were no troops, were found [Southern white] men willing, under cover of it, to open schools or to protect them, and whose position made them safe. Schools were opened in this way at Tuskegee, Auburn, Opelika, Salem, Greenville, Demopolis, Evergreen, Mount Meigs, Tuscaloosa, Gainesville, Marion, and Wetumpka, and later at Troy, Cubahatchee, Prattsville, and Haynesville; while opportunities beyond our means are still developing.

It was found, however, that the presence of a school dispelled the prejudice against it, and the bitterness, at first so dangerous and obstructive, has been gradually converted to a positive approval.

Southern Whites should Teach Negroes

Montgomery *Advertiser*, July 24, 1867. [1867]

ALFRED MCDONALD, a well known and respected freedman of Montgomery, is calling upon our citizens for aid to purchase a lot on which to build a school house. Gen'l Howard has appropriated a sufficient amount to build the house, and enough is to be subscribed to purchase the lot. The citizens are responding in a liberal manner, and thus justifying the interest they feel in promoting the education of the colored race. Our people have not been as prompt to teach the colored people themselves as they should be, trusting it to those who do not have very kind feelings for the South. A great many young men who are disabled for active work could find remunerative labor in teaching the colored children, and there is no discredit in it. It is a positive benefit to all concerned for the young men and women of the South to teach their former slaves. Some of the school books used by teachers are embellished with all sorts of stories about the cruelties and persecutions of white people toward the blacks, and it will continue to be the case as long as strangers come in and teach them. Education was a dangerous thing as long as slavery existed. No people are more degraded than an ignorant race of free people. Let the colored people be educated and as far as we are able let the Southern people help them to build their school houses and teach them too.

3. NORTHERN AID TO NEGRO EDUCATION

The Desire of the Blacks for Education

Senate Ex. Doc. no. 27, 39 Cong., 1 Sess. Report of J. W. Alvord, Superintendent of Schools for the Freedmen's Bureau.
[January 1, 1866]

A GENERAL desire for education is everywhere manifested. In some instances, as in Halifax county, very good schools were found taught and paid for by the colored people themselves. Said a gentleman to me, "I constantly see in the streets and on the door-steps opposite my dwelling groups of little negroes studying their spelling-books." . .

Not only are individuals seen at study, and under the most untoward circumstances, but in very many places I have found what I will call "native schools," often rude and very imperfect, but there they are, a group, perhaps, of all ages, trying to learn. Some young man, some woman, or old preacher, in cellar, or shed, or corner of a negro meeting-house, with the alphabet in hand, or a torn spelling-book, is their teacher. All are full of enthusiasm with the new knowledge the book is imparting to them.

Bureau Schools in North Carolina

Senate Ex. Doc. no. 6, 39 Cong., 2 Sess., p. 104. Report of Gen. John C. Robinson of the Freedmen's Bureau. [1866]

IT is no unfrequent occurrence to witness in the same rooms, and pursuing the same studies, the child and parent — youth and gray hairs — all eagerly grasping for that by which, obtained, they are intellectually regenerated. . .

As an evidence of the great interest manifested for acquiring knowledge, an instance, probably never before equalled in the history of education, is to be found in one of the schools of this State, where side by side sat representatives of four generations in a direct line, viz.: a child six years old, her mother, grandmother, and great-grandmother, the latter over 75 years of age. All commenced their alphabet together, and each one can read the Bible fluently.

Night schools have met with gratifying success, and are eagerly sought for by those whose labors are of such a character as to prevent their attendance during the day. . .

Sunday schools have been established at many points where teachers reside. . . It is evident much good has been accomplished by their establishment, and no estimate can be made of the beneficial results of their full development.

A Northern Teacher and a Southern Editor

Freedmen's Record, April, 1867. [1867]

Charlottesville, Va., Feb. 9, 1867.

MR. J. C. SOUTHALL.

Not knowing any Southerners personally, I have always sent to the North for everything indispensable in the prosecution of my work here; but having heard colored people speaking of you as a true friend to the cause of education among them, I take the liberty, on their behalf, of requesting you to make a donation to the Jefferson School, in the form of printed diplomas, stating that the graduate is qualified to commence teaching the rudiments of an English education, &c.

If you are sufficiently favorable to the work to aid it in this way, I will send you a manuscript to be printed. Six or eight copies will suffice. . .

Yours respectfully,
ANNA GARDNER.

Chronicle Office, Charlottesville, Va.
Feb. 12, 1867.

MISS GARDNER, I take as deep an interest in the welfare of the negro race as any one. I am anxious to see them educated and elevated, and am prepared to give my aid to further those objects. The impression among the white residents of Charlottesville is, that your instruction of the colored people who attend your school contemplates something more than the communication of the ordinary knowledge implied in teaching them to read, write, cypher, &c. The idea prevails that you instruct them in politics and sociology; that you come among us not

merely as an ordinary school teacher, but as a political missionary; that you communicate to the colored people ideas of social equality with the whites. With your first object we sympathize; the second we regard as mischievous, and as only tending to disturb the good feeling between the two races.

If I am mistaken in supposing that you do not confine your teachings to the topics usually covered by school instruction, I will cheerfully furnish without charge the circulars you applied for.

Respectfully,
JAMES C. SOUTHALL.

MR. J. C. SOUTHALL, I teach *in school* and *out,* so far as my political influence extends, the fundamental principles of "politics" and "sociology," viz.: —

"Whatsoever ye would that men should do to you, do ye even so unto them."

Yours in behalf of truth and justice,
ANNA GARDNER.

A Foreigner's Observations

House Report no. 121, 41 Cong., 2 Sess., p. 21. Extracts from a report made to the French minister of public instruction by M. Hippeau, on "Ecoles pour les Enfants de Couleur." [1870]

IT was in Washington that the first schools for the children of freedmen were established. The schools are of all grades, and the general [Howard] is even constructing large, beautiful edifices for a college and a university. I was full of the memories of the most flourishing schools in the East, and I was well qualified to judge for myself of the differences in intellectual aptitudes of the two races. I must say that I have been unable to discover any. All the teachers . . that I have consulted on that point are of the same opinion.

My opinion of the intellectual aptitudes of colored children is shared by men of good faith who have, like me, visited the schools of the South. An English traveler, Dr. Zincke, in an account of his travels in America, says: "I must confess my astonishment at the intellectual acuteness displayed by a class

of colored pupils. They had acquired, in a short space of time, an amount of knowledge truly remarkable: never in any school in England, and I have visited many, have I found the pupils able to comprehend so readily the sense of their lessons; never have I heard pupils ask questions which showed a clearer comprehension of the subjects they were studying."

What I saw at Oberlin confirmed entirely the opinion I had formed. . . This remarkable institution is educating a large number of colored students. I found fourteen young colored girls in the most advanced class, and they appeared in no way inferior to their white companions. In 1868 the degree of A. B. was conferred upon fifteen young men and ten young women. The principal of the institution, in an address to the students, stated that in literary taste and philological ability these colored pupils were unexcelled by any of their white fellow graduates. The opinion of the professors at Oberlin is that there is no difference in intelligence manifested by the two races. In a Greek class of twenty-seven pupils of both races, instructed by a young lady of twenty-five years, daughter of one of the professors of the college, a young colored girl translated with exactitude, a chapter of the first book of Thucydides. The negro race constitutes nearly a fifth part of the population of Oberlin, and one of the professors assured me that the most peaceable, well-behaved, and studious citizens of that place belonged to the colored race. They are associated with the whites in all business and social relations, and no animosity is exhibited by either. The white man there is no more disturbed at sitting beside a colored man in the municipal council or on the committee of education than in an omnibus or at a restaurant table. This fair treatment of the blacks, however, is by no means universal; but every day weakens the repugnance which has hitherto constituted an insuperable barrier between the two races.

Value of the Missionary Work

C. C. Smith, *The Principle Underlying the Training of the Negro* 1904), pp. 9, 12. A statement by a Northern mission worker of today. [1865-1880]

MANY in the South have been accused of being opposed to negro education, when they have only been opposed to some things practised in the schools not in any way essential to the primary object. . .

But, men of the South, let me say that from the very nature of the revolution, from your relations to the negro in the past, you could not have been the negro's teacher. . . The North has sent some of her best sons and daughters to you for this training. Some have been fanatical, many have been mistaken in regard to their true relation to the white man and black. Some things have been done to alienate the races and create hardness. Yet they were God's own people, and in many things have led the negroes in God's own way, to the blessing of all. They have raised up and trained leaders among the negroes who are guiding their own people out of the wilderness. Your industrial conditions are improved; your land is better tilled; your factories have more skilled laborers because they came to you. The negroes, from their tutelage, are the most humble, the most honest, the most capable of all your laborers. Those trained by them in head and hand and heart are your best citizens of that race. They came as from God to you, and your land has been blessed by their coming.

4. MIXED SCHOOLS

A Debate on Mixed Schools

Proceedings of the Constitutional Convention of South Carolina, 1868, pp. 889, 900. Speeches by B. O. Duncan, scalawag, and J. J. Wright, mulatto. In each Reconstruction convention the question of mixed schools was debated. [1868]

[B. O. Duncan] The subject of education is, under the peculiar conditions of our State, probably the most important one we have had to consider in this body. . . Our success as a party, and our success as a people, depends entirely upon our being able to educate the masses of the people. Of this, no one is more convinced than I am, and no one is more earnest in the desire than I am, to see every man, woman and child in our State educated without regard to the complexion of their skins. In this view of the subject, I know that I am sustained by the intelligence, and virtue, and Christian feeling of the State. . . I need only refer, as proof of this assertion, to the actions of the Conventions, conferences, etc., of the different denominations of the State. The Baptist State Convention, which met at Anderson last August, unanimously adopted resolutions introduced by Dr. Furman, President of Furman University, warmly urging the education of the colored people in Sunday Schools, and in every way practicable; and expressing regret that the property of the denomination would not allow it to take more active steps. The resolutions provide that colored theological students, or ministers applying for instruction to the Southern Theological Seminary, at Greenville, shall receive such instruction of the professors. That Baptist Convention was presided over by Dr. Winkler, of this city, and was composed of the intelligence and learning of the denomination throughout the State. Measures of a like character have been adopted by similar bodies in the State; and all over the State you find the intelligent, educated ministers, founding Sunday Schools for colored children, and urging the necessity of their education. You find in many localities strong

objections, it is true; but it must be remembered that the majority of our white people are woefully ignorant. . . My assertion applies only to the intelligent, and there I contend that I am right. The earnest desire to educate all the people, is general among them. . . Let us then not begin wrong in this all important matter. . . If we begin by educating the masses, we end by overcoming their prejudices. But if we begin by attempting to overcome the prejudice by force and educating them afterwards, I am convinced that the whole plan will result in a failure.

Now, what is likely to be the result of . . opening the public schools to all? Simply that they would be attended only by the colored children. If the attempt is made to enforce a mixture in this way, I have no idea that fifty white children in the State would attend the public schools. The freedmen's [Bureau] schools are now . . opened to all; and yet I believe not one white pupil in the State attends them. The result would be exactly the same with our public schools. This is the state of affairs that we should certainly desire to avoid. In the first place, the poor white children would be deprived of any chance of education. They would continue ignorant and degraded and prejudiced. The whites who have means could send their children to private schools, but the poor whites would be as heretofore, unable to do so. You would also have the strange condition of affairs of the whites paying probably nine-tenths of the expense of institutions, which . . they would regard themselves as shut out from using. This would be a continual barrier in the way of peaceful and friendly relations existing between the two races all over the country. . .

Again, in attempting to enforce mixed schools, you bring trouble, quarreling and wrangling into every neighborhood; and that too among those who are not directly responsible to the law, and who are more likely to be governed by prejudice and passion than by reason. You come in contact with the women and children, who are more prejudiced and more difficult to control. . . In this way every neighborhood all over

the State would be kept in a continual state of turmoil and strife. In this way passion and prejudice of race will be continually nurtured, and peace and quiet will not be allowed to prevail in any portion of the country. . .

This is too serious a question, to the peace and welfare of the country, for me not to speak out plainly the dangers before us. . . The report [is] fraught with danger to the peace and harmony of the State, and to the friendly relations between the two races. They attempt to force upon South Carolina measures even in advance of Massachusetts, though they know that we are in every respect, at least one hundred years behind that much favored State. They do not reflect that civilization is a plant of slow growth; that we can only arrive at it gradually, and after long years of toil. . .

[J. J. Wright] His first point is, that this provision [for mixed schools] runs counter to the prejudices of the people. To my mind, it is inconsistent that such an argument should come from a member of the Convention. . . The whole measure of reconstruction is antagonistic to the wishes of the people of the State, and this section is a legitimate portion of that scheme. It secures to every man in this State full political and civil equality. . .

The gentleman from Newberry said he was afraid we were taking a wrong course to remove these prejudices. The most natural method to effect this object would be to allow children, when five or six years of age, to mingle in schools together, and associate generally. Under such training, prejudice must eventually die out; but if we postpone it until they become men and women, prejudice will be so established that no mortal can obliterate it. This, I think, is a sufficient reply to the argument of the gentleman under this head.

Constitutional Provisions for Mixed Schools

Poore, *Charters and Constitutions*, pp. 768, 1661. In South Carolina, Mississippi, Louisiana, and Arkansas, the races were by law to attend the same schools. The whites did not go at all. [1868]

[Louisiana] Art. 135. The general assembly shall establish at least one free public school in every parish throughout the

State, and shall provide for its support by taxation or otherwise. All children of this State between the years of six and twenty-one shall be admitted to the public schools or other institutions of learning sustained or established by the State in common, without distinction of race, color, or previous condition. There shall be no separate schools or institutions of learning established exclusively for any race by the State of Louisiana. . .

Art. 142. A university shall be established and maintained in the city of New Orleans. It shall be composed of a law, a medical, and a collegiate department, each with appropriate faculties. The general assembly shall provide by law for its organization and maintenance: *Provided,* That all departments of this institution of learning shall be open in common to all students capable of matriculating. No rules or regulations shall be made by the trustees, faculties, or other officers of said institution of learning, nor shall any laws be made by the general assembly violating the letter or spirit of the articles [on education].

[South Carolina] Article X. Sec. 10. All the public schools, colleges, and universities of this State, supported in whole or in part by the public funds, shall be free and open to all the children and youths of the State, without regard to race or color.

The Deaf, Dumb, and Blind

Reynolds, *Reconstruction in South Carolina*, pp. 237, 241. The first extract is from a rule made (1873) by J. K. Jillson of Massachusetts, superintendent of education in South Carolina. The second is from the message (1874) of Gov. F. J. Moses commenting upon Jillson's actions. [1873-1874]

[1] THE following points relative to the admission of colored pupils into this institution [Deaf, Dumb, and Blind Asylum] will be strictly and rigidly insisted upon: 1. Colored pupils must not only be admitted into the institution on application, but an earnest and faithful effort must be made to induce some pupils to apply for admission. 2. Such pupils when admitted must be domiciled in the same building, must eat at the same table, must be taught in the same classrooms, and

by the same teachers, and must receive the same attention, care and consideration as white pupils.

[2] It was hoped that even political malice would have felt some touch of pity in contemplating the victims of the most awful bereavement that Providence has visited upon humanity, and that no discrimination would have been made as to those whom God himself had reduced to the same common level of calamity. . . You will see by the action above referred to of the board of directors of the asylum for the deaf and dumb and the blind, as well as by the action of the board of trustees of the State University, that at least in South Carolina "the chaff is being rapidly winnowed from the wheat" and that we are fast getting rid of influences prejudicial in our State institutions.

The Reconstruction of South Carolina University

Reynolds, *Reconstruction in South Carolina*, pp. 234, 235-236; and J. S. Pike, *Prostrate State*, p. 80. The first extract is from the minutes of the Radical board of trustees; the second is an account by an alumnus of the college; the last is from J. S. Pike, a Northern man.

[1868, 1871, 1873]

[1] *Resolved*, That this board accepts the resignation of M. La Borde, M. D., A. N. Talley, M. D., and R. W. Gibbes, M. D., in the University of South Carolina; and in accepting the same this board deem it due to the public to place upon record their conviction that the resignations of these gentlemen were caused by the admission, as a student of the medical department of the University, of the Hon. Henry E. Hayne, a gentleman of irreproachable character, against whom said professors can suggest no objection except, in their opinion, his race; and recognizing this as the cause of these resignations this board cannot regret that a spirit so hostile to the welfare of our State, as well as to the dictates of justice and the claims of our common humanity, will no longer be represented in the University, which is the common property of all our citizens without distinction of race.

[2] The faculty had entered upon the work of building up a university which, as the literary institution of the State, should

equal if not surpass the fame and usefulness of the old college; and this work would have been accomplished but for the egregious folly and wickedness of those who held the control of the State. The old trustees who had the confidence of the people of the State, were rudely set aside to make place for adventurers who were unknown or known unfavorably. In the mere wantonness of power, or for the satisfaction which a rude nature takes in the humiliation of his superiors, negroes were placed upon the board of trustees. This act, although less cruel than that which needlessly outraged the sentiments of our people by thrusting negroes among the regents of the lunatic asylum, was more pernicious in its results. It excited suspicion of what ultimately followed — the attempt to mix the races in public education — and kept students away. But the professors, with the advice of friends of the University, stood at their posts hoping to save the institution by averting a change which would prove its degradation and ruin. In short, they wished to save the University for the white sons of the State. A mixed school was impracticable. The colored people neither needed or desired it. Claflin University, at Orangeburg, established expressly for the education of their children, offered them the facilities — the means of varied culture — obtainable at the University of the State. But the trustees were bent on a mixed school, and there were needy adventurers at hand to aid them in their attempt. Supposing, correctly, that the old professors would not lend themselves to the perpetration of such an act of wanton injustice, they removed them, and conferred their places upon strangers who, even if unknown, or known only to be despised, as incompetent or immoral, were yet more subservient to their views. The University thus became, both in its officers and its matriculates, a mixed school; and a policy which a republican Congress has since refused to adopt, and thus virtually repudiated, was allowed to effect the ruin of that seat of learning.

[3] Before the war . . [the University of South Carolina], sheltered some two hundred students. Their young blood was fired by the first tap of the drum, and they all rushed to the

field. They have not come back. What was to be a pastime proved a stern reality. The buildings look worn and desolate, and only a handful of scholars and a few poorly-paid professors remain. In execution of the steady purpose of putting the blacks on an equality with the whites, a measure was passed at this session to throw open the library to the colored students of the Normal School, and to take one of the college buildings for its uses. And in pursuance of the same purpose a majority of the trustees of the college were recently chosen by the same Legislature from the ranks of the blacks. In this case it was color rather than qualification for the post that was sought. This destroys the usefulness of the college so far as the white youth are concerned, as a young aristocratic blood of the State will decline the proposed amalgamation. The movement will eventuate in the substantial destruction of the University, as the black population will afford an inadequate supply of students. It is a damaging blow to the interests of education in the State, and a significant step in the process of Africanization. But, even if the college could be allowed to remain in the hand of the whites, such is their stripped condition that it would be difficult to maintain its former prosperity. Still, it would afford to the youth of the State a sort of domestic intellectual holding ground, of great service during the present transition stage. Its capture by the blacks is a useless humiliation to the whites, since its advantages will now be lost to both races. It does great evil and does no good. It is an attack upon the prejudices of the whites from no other motive than desire of domination. Rather than relinquish the opportunity to control the college, the blacks are willing to destroy it. The class of whites that support institutions of learning naturally decline enforced intellectual association with the new masters of South Carolina, and we judge will not be accounted particularly fastidious for this peculiarity.

Results of the Mixed School Policy

The first extract is from the *Annual Cyclopedia, 1870*, p. 457. Reply of Dr. Sears, agent of the Peabody Education Fund, to the Radical superintendent of education in Louisiana, who had asked that he be given a part of the fund. The second is from the *Mississippi Election of 1875*, p. cix. Associated Press dispatch. [1870, 1875]

[1] IN the distribution of our fund I should be most happy to coöperate with the State authorities. But I understand that the State public schools [of Louisiana] are so organized that the greater part of the white population are unwilling to send their children to them, and that consequently the benefit of the public money goes . . to the colored children chiefly. If there is any feasible way of removing this inequality, bringing the white people generally into coöperation with you, the necessity for a local agency would cease, and we could act in concert with you.

We . . raise no question about mixed schools. We simply take the fact that the white children do not generally attend them, without passing on the propriety or impropriety of their course. We wish to promote the universal education — to aid whole communities. . . If that cannot be, on account of peculiar circumstances, we must give the preference to those whose education is neglected. It is well known that we are helping the white children of Louisiana, as being the more destitute, from the fact of their unwillingness to attend mixed schools. We should give the preference to colored children were they in like circumstances.

[2] On Friday last the trustees of the Peabody fund for aiding the public schools of the South held a meeting [1875] at the Greenbrier White Sulphur Springs, at which the report made by Dr. Sears of his last year's work was discussed. From this report we learn that Dr. Sears disbursed from the fund under his charge but a small amount to South Carolina, Florida and Louisiana, because those States do not foster public education. In South Carolina and Louisiana the republicans have had possession of the government for years past. In Florida the democrats have only recently had any chance of carrying this State. Yet in these three States, where the white friends of

the colored people have everything their own way, the school funds have been squandered and dissipated and the school houses closed. What wonder is it, then, that Mr. George Peabody Russell, who joined in the discussion of the Sears report, gave it as his opinion, from personal and recent observation, "that nothing could be expected of those States in the way of advancing their educational interests until there was a change in their State governments."

5. EDUCATION DURING RECONSTRUCTION

A Democratic School for Negroes

Yazoo *Banner*, October 18, 1868, quoted in Morgan, *Yazoo, or On the Picket Line of Freedom in the South*, p. 220. For several years the whites in the Black Belt made attempts to conduct schools for the blacks taught by native whites or by Democratic negroes and Northern men. [1868]

THE school established by our citizens last summer for the benefit of colored children generally, but more especially for the children of colored Democrats, is, we are glad to know, in a most flourishing condition. There are now about twenty pupils, all of whom, we are informed by Mr. Richards, the teacher, are making fair progress in their studies, and give most satisfactory evidence of substantial improvement. The little darkies are delighted, their parents are gratified at the interest thus displayed in behalf of their children by their white friends, and in every way the institution may be declared a decided success.

But to show our people how their efforts to improve the colored people and how their benevolence is appreciated by an Ohio radical, we reproduce an article on the subject of our colored school from a radical paper called the *Aid to Progress* which is published in the town of Wilmington, Ohio. The editor of this paper, we believe, was formerly a carpet-bagger, and was operating in Mississippi on the ignorance and credulity of the negroes but a few months ago as a means of earning a livelihood. But strange and unaccountable as it may seem, he became weary of enduring the scorn and contumely of respectable people and rummaging about negro quarters at night, and accordingly returned to Ohio, where he became the editor of a mean, dirty little radical newspaper.

Noticing an article in the Vicksburg *Times*, in which it was stated that a competent Democratic teacher was wanted to take charge of the colored school in this place, and being accustomed, like every other radical, to systematically maligning the South-

ern people and tracing every act of theirs to an unworthy or dishonorable motive, he makes the following comments. . .

"Let whoever reads the above remember that hundreds of men and women have been foully used, many of them murdered by those rebels, because they undertook after the surrender of the rebel armies to teach the ignorant negro. Thinking that they will be able to prevent them from acting with the party which gave them their freedom, these base wretches are now pretending to want them taught. Is there anything too criminal for modern Democracy to engage in? The negroes should of course be taught; but what is the motive by which this call for 'a competent Democratic teacher' is prompted? The most damning that ever moved the heart of man. It is to use the vote and action of a human being as a means by which to enslave him. The treachery and villainy of those rebels stands without parallel in the history of man. And yet there are honest men here in the North simple enough to believe that they can be trusted with the government of these States!"

School Appropriations in South Carolina

Ku Klux Report, South Carolina testimony, p. 156. [1871]

THE appropriation for school purposes by the legislature is very small. The poll-tax is also appropriated to the school fund; but they have not collected the poll-tax from a great many, and have not been able to do so, because they were without property. I do not think a great deal has been appropriated for teachers. The salaries of the school commissioners almost consume the appropriation made by the legislature. I have heard a great deal of clamor among the school-teachers in our county about not getting their pay.

Their salary as school commissioners is $1,000 a year, and there being about thirty-two or thirty-three commissioners in the State, it takes nearly the whole appropriation made by the legislature to pay their salaries.

Trials of a Negro Teacher

MS. Letter, Alabama Archives. After 1869 teachers were not regularly paid in any reconstructed state. [1874]

Bluffton Ala
Oct the 29th 1874

HON. MR. BINGHAM

Kind Sir Address you for the perpos of noing wether we School Teacher will get any pay for the terms of the Scholastic year for we have not got nothing for the whole terms that have bin tought in Chambers county. the county tresure say the money was sent to Montgomery he say that neere *$4.000* sent there so I thought I would ask you we the Teachers of Chambers County have not got any money this hole year & now we are in debt & dont no how to get out We owe for Board & the County Tresure tell ous that money was sent to Montgomery & he dont no when we will get any the Supt. give orders but the tresure give no money I tryed to sell my warrent to the Banker Shapard at opelika & he rote to the Tressure of Chambers County How the case stood So he return the Compliments stateing that the money was in the hands of the Ratical at montgomery So he hand my warrent back to me saying that he would not give any ting & it was not werth anyting pleas sir Be so kind as to Let me no Somthing about

I am at Bluffton ala. please direct yor Letter to West Point Ga

Your Obedent
H. C. CALHOUN (Col d)

"Disgraceful Conditions" in the Schools

Report of Superintendent of Education in Louisiana (1871) in *House Report no. 261, 43 Cong., 2 Sess.*, p. 938. The Superintendent, W. G. Brown, was a negro. [1871]

I HAVE prepared the following statement, which, while it exhibits but a fraction of the frauds committed and amounts embezzled, reveals a condition of affairs disgraceful in the superlative degree to all concerned, and of the correctness of this statement I have the most indisputable proofs.

The following exhibit, compiled from a report of the parish board of school-directors of the parish of Plaquemines, Louisiana, and from several supplementary reports of the treasury of said parish board, shows the amount of embezzlement of the funds received for the public schools:

No. of Ward	*For What Purpose Paid*	*Reported Paid*	*Actually Paid*	*Amount Embezzled*
1	Teachers' salaries	$ 435 00	$ 260 00	$175 00
3	Teachers' salaries	940 00	565 00	375 00
4	Teachers' salaries	1042 50	885 00	157 50
4	Rents	485 00	90 00	395 00
5	Teachers' salaries	360 00	195 00	165 00
5	Rents	90 00	. . .	90 00
5	Fuel	29 00	. . .	29 00
6	Teachers' salaries	120 00	10 00	110 00
6	Rents	93 00	. . .	93 00
9	Teachers' salaries	172 50	. . .	172 50
10	Rents	236 00	. . .	236 00
	School-furniture	717 55	. . .	717 55
	Charles Lewis	50 00	. . .	50 00
	C. Brown, carpenter work	75 50	. . .	75 50
	Total	4,846 05	2,005 00	2,841 05

The Louisiana State University

MS. Diary of David French Boyd. The Louisiana State University was established in 1859 with W. T. Sherman as President; D. F. Boyd one of the professors then was made President in 1865; after 1868 no appropriations were made to the University because of the law making mixed schools obligatory; Col. Boyd and some of the professors remained without pay at their posts to prevent the property from being seized and sold by the carpetbag state government, and so managed to save the institution until 1876. [1874]

July 23, 1874. This day finds our poor school in very bad condition — terribly in debt, ourselves so poor that we are in actual want — no money and no credit — and the impression pretty general throughout Louisiana that the University cannot long stand — if indeed it is not already broken up. . . No one

can tell the difficulty and trouble we had last year, to keep the school alive and I fear that we shall have another year, if not two years, of great trial. An institution deserted by the state, because we are not presumed to be in accord with the ignorance and villainy of the powers that be, and very little supported by the people of Louisiana because of the general law of the state which makes it obligatory on all the schools, supported in whole or in part by the state, to receive *negroes* as students . . has no hope for its existence but in its powers of endurance, till right and reason, and enlightenment again have their due weight in our Legislature. . . The anxiety and care of this place is now very great . . with all the while the greatest difficulty to procure bare subsistence. And today we are nearly out of such few common articles as we have, viz. bread, meat, peas, rice, sugar, coffee, and tea. We are out of sugar; and of butter we have had none for many months. We are using up now what we promised to pay for at the end of this month. We have not a dollar . . in the treasury; and where the money is to come from to pay those who have fed us this month, I don't know. . .

July 24, 1874. Professor S —— A —— has been absent. . . visiting some of his friends. . . But he like the rest of us is so near out of clothes, that he must find it hard to make himself presentable. I never was as poor in all my life not even in the worst days of the war. . . I have bought no clothes for myself or family . . for three years. . .

July 25, 1874. Still without sugar. Had today to have the buttons (brass) taken off my [Confederate] uniform coat and replaced by common . . buttons. Too poor to buy a new coat.

August 1, 1874. Mr. Van Pelt, T —— B —— and I have been making copies of my circular. We are too poor to print; so we have to make written copies. . .

August 6, 1874. . . Today and up to Saturday, we will no doubt have beef and bread; but unless I can get money, or get salt meat and flour here, there will be nothing to eat at the University. . .

August 16, 1874. . . What is to become of us if we stay here much longer, or if I should die, God only knows. I have

not a dollar, owe a great deal, and what money is due me from the University I may never get. . .

August 17, 1874. . . No man can know the trouble this institution has given me. I have brought it through "Reconstruction," and now we have the "Usurpation." To take it through Hell could not be much more . . if I thought the next eight years were to be like the last eight, I would rather die now.

October 4, 1874. . . This is the last day of my 40th year. Who has worked harder and accomplished less in 40 years than I have? Two years ago, I had determined to leave the service of the University today, if not before. But the everlasting Carpetbagger and Nigger decreed otherwise. I must stay here ten years more, if necessary, for the salvation of our poor school. But meanwhile how is my family to live? . . Our poor school cannot prosper until there is a new government, new laws and new prosperity for our state and people. The mere mention of Civil (negro) Rights has almost destroyed the public schools and colleges in some of the Southern States. Would they stand 8 years as we have done, with the Civil Rights law actually in existence? In Louisiana the negro has been "on top" since 1868. . .

November, 1874. We are falling back in our library generally. We do not even know what is being published. But for the Kellogg usurpation in 1873 . . our school would now be in condition to do much good to the state. But it is a pitiable wreck of what even it was in 1872.

December 1, 1874. We are bad off pecuniarily. Many a time during the year have we been doubtful of rations one and two days ahead — even sometimes of a morning we did not know that we could have anything for dinner. And this a state school.

February 22, 1875. . . I have of late been talking pretty freely with our professors and others about our prospects, advising all who can to get away. And considering the condition of my family, it is sad to think that I can't go too. But if I leave who is to take charge of all the affairs of the institution

and keep either the state or creditors from taking all the books, etc. . .

March 3, 1875. . . Letter from Brosnan . . He gives a deplorable account of his own affairs; how hard it seems to be to get pay for his services as Professor of Mathematics, New Orleans High School. . .

May 22, 1875. . . The Deaf and Dumb Asylum has closed — all the pupils but two gone. The Blind Asylum may soon have to do the same thing, for want of means. But we shall keep our post even if we have no cadets.

June 30, 1875. Closed our session, perhaps our last session, here today, with four cadets, McNulty, Randolph, Robinson, and Slack. T—— B—— and myself, with Guyol (ready to teach *French*) as Professors. . .

At times it did seem impossible to bring the session to a legitimate close. And I do not believe that such an effort to maintain a *state* school — an average of 4 professors and 6 cadets, through the session, was ever attempted before. But I do feel that the school is safe — that the general improvement in affairs in Louisiana will cause the school to prosper.

Education in Georgia

Ku Klux Report, Georgia testimony, pp. 616, 831. Statement, (1) of a negro preacher, and (2) of a conservative editor. [1871]

[1] I BELIEVE the sentiment of the people is getting to be very good about schools. In my county there never has been any trouble. The white people there seem to advocate it, and we went to work there directly after schools came about. Mr. Talmadage, a democrat, and a very clever man, gave us a piece of ground, and we built a log-house and got a democrat to come down there and teach us; after Mr. Eberhart came there, the Government paid him for it. The sentiment in my county is very good about schools. I heard one colored woman here say that they burned a school-house in her county not long ago. But I think the white people throughout the State are in favor of [negro] education.

[2] The sparseness of our population is the greatest drawback to a common-school system. . . In the towns our schools have been revived, but in the country that difficulty exists, and will continue to exist just so long as our population is as sparse as it is at present. . .

The colored people of Georgia are receiving more educational advantages than the poor whites. For a time, they had the earnest assistance of the Freedmen's Bureau, and since that time northern aid has been extended to them. We have always been so poor that it was a very hard matter to educate our own children, and we could not take care of the children of others. The consequence is that the children of the poorer whites are in a deplorable condition, growing up in vice and ignorance. . .

Some foolish people may express dissatisfaction, but the most of the people understand this: the negro is here; if he is ignorant, he will be vicious, and all we can do to make him a virtuous and intelligent citizen it is our duty to do. I have never known any objections to that.

Opposition to Reconstruction Education

Report of State Superintendent of Education of Mississippi, 1871. The schools in Mississippi were by the constitution mixed schools; but opposition sometimes resulted in the establishment of separate schools for the races. [1871]

No feature of the new system of government met with more determined opposition at the outset than the school system. A majority of the wealthy and intelligent classes, unable to divest themselves of the irrational prejudices and passions, the outgrowth of slavery, clinging with a tenacity worthy of a better cause, to its concomitant social, political, and educational theories, they contested the introduction of the people's schools with a determination that seemed at times would overwhelm and destroy them. This antagonism was inspired by a class of idle politicians and an unscrupulous press, whose acme of ambition seemed to be to thwart every measure and effort looking to the development and prosperity of the State; preferring darkness to light — ignorance to intelligence.

This partisan hostility at length culminated in open violence, particularly in the eastern portion of the State. I have deemed it a matter of duty, unpleasant and painful as it is, to report some of the most flagrant cases of incendiarism and violence towards teachers and school officers which have occurred since the inauguration of the free school system.

Educational Conditions in Mississippi

(1, 2) *Mississippi Election of 1875*, p. 449. Statements of Conservatives. (3) Nordhoff, *Cotton States in 1875*, p. 74. [1875]

[1] THE feature of this constitution which forced the whites to mingle with the negroes in the common schools, or take the alternative of paying the heavy tax, without any corresponding benefit to their children, while it excited the opposition of the whites did not enlist the sympathies of the negroes, and it therefore contributed to the rejection of the constitution [1868]. The negroes were earnestly inclined to educate their children. They had not the means to provide education, and knew that the money for that purpose must be drawn from the whites. It was quite sufficient to compel the whites to educate the colored children, without rendering the burden insulting as well as onerous.

[2] . . I had been attorney for the board for quite a length of time. They had appointed me unanimously, these negroes had, and I remained in that position for some time, when I resigned my position, . . on account of their reckless management and on account of the refusal to hear the whites in regard to schools, . . at Mayerville there was a strong demand for a white school. There were some, I suppose, thirty or forty pupils, and they had no school house. They had to employ a teacher, and they got a room wherever they could to teach in; and the people brought it to the attention of the board several times, and they earnestly requested them to build a school-house there.

The board went through the pretense of posting a notice for bidders. . . They posted two or three notices, and the bids were offered there by good mechanics to build a school-house

at a good deal less than they had been paying for negro schools in various parts of the country.

And they rejected the bids on the ground of extravagance, and old Major Smith came up there about two or three weeks before the meeting in which Gross was to be requested to resign, and made a request, politely requesting them to have the notice renewed. He was very anxious about this school-house, and that was the wish of the whole community. It was opposed by this man Gross. One or two members were anxious to build it. This man Gross was very offensive to Mr. Smith, and told him to sit down, he didn't want to hear him and finally drove him away in disgust and despair. . .

They never refused any petition to build a colored school-house anywhere. They built them all over the county, and they had standing notices to build them.

Q. How many white schools were in the county at that time?

A. Only one that I know. . . In fact, that was not a school-house, either. They used the basement of a church.

[3] Someone in New Orleans sent me a letter of introduction to the State Superintendent of Public Instruction [of Mississippi] here — a colored man named Cardozo. On asking for him I found he had gone to Vicksburg "to look after an indictment" found against him — and when I myself went there, I found that Cardozo was not merely indicted, but, as an indignant Republican told me, "shingled all over with indictments" for embezzlement and fraud, and likely, if justice is done, to presently be sent to State-prison. What a lovely and improving sight for the children of the State, white and black!

A Lesson in a Florida School

Wallace, *Carpet Bag Rule in Florida*, p. 326. [1875-1876]

AFTER finishing the arithmetic lesson they must next go through the catechism. "Who is the 'Publican Government of the State of Florida?" *Answer* — "Governor Starns." "Who made him Governor?" *Ans.* — "The colored people." "Who is trying to get him out of his seat?" *Ans.* — "The

Democrats, Conover, and some white and black Liberal Republicans." "What should the colored people do with the men who is trying to get Governor Starns out of his seat?" *Ans.* — "They should kill them." This was done that the patrons, some of whom could read, would be impressed by the expressions of their children, and would be ready to put any one to death who would come out into the country and say anything against Governor Stearns. In many instances this teaching had its effect on the minds of freedmen. These teachers received from twenty-five to thirty-five dollars per month. The whole public school system was made a powerful auxiliary to the campaign fund of Stearns in the year 1875-6. The State Superintendent, while possessing unquestionable ability relative to the duties of his office, devoted his whole energy and time to the nefarious canvass for the nomination of Stearns to the utter neglect of the education of the masses. The same was true as to the Superintendents of some of the black belt and other counties — organizing political clubs instead of schools.

The White League after a Teacher

State Journal, October 4, 1875. The radicals claimed that this notice was sent to the white teacher of a negro school in Pike County, Alabama. Such notices were sent to obnoxious teachers, especially in the white districts after 1870. [1875]

September 20th 1875

Mr. Banks we thought we would give you a chance to save yourself one of the worst scourings that a man ever got and you can do so by reading this note and acting upon its contents. You have set up a nigger school in the settlement which we will not allow you to teach if you was a full blooded negro we would have nothing to say but a white skin negro is a little more than we can stand you can dismiss the school imediately or prepar yourself to travail we will give you a chance to save yourself and you had better move instanter.

Our little band calls themselves The Writing Straitners and if you dont leave this settlement with your negro children we will straten you.

Desire for Education fast Waning

Report of Freedmen's Aid Society, M. E. Church, 1875, p. 59. This extract illustrates the discouraged attitude of the Northern teachers of the negro toward the close of Reconstruction. Most of the former enthusiasts went back North and were succeeded by more practical persons, such as Armstrong and Washington. [1875]

WHILE . . the children of freedmen are still zealous in acquiring knowledge, this desire, which was once full-orbed, is fast waning with the masses of those who have passed their childhood. There was a time during the war and shortly after, when groups of colored men in middle life, and even in life's decline, could have been seen gathered about field stumps on which pine knots were blazing, trying thus to acquire the rudiments of an education. The enthusiasm was then at fever-heat. But this sight is at present rarely, if ever, witnessed. Said one of the speakers at the last anniversary of Fiske University, Nashville: "At the close of the war the people rushed into the schools — old gray-headed men and almost helpless children. There was an impulse that carried everything before it. Our own institution numbered at one time (1866) twelve hundred students. Then it dropped down to less than three hundred." There are ample data upon which to establish on general grounds these deductions. We need, perhaps, refer to but a single instance, inasmuch as it is one that furnishes an illlustration which is almost an exact parallel to the case before us. When the blacks of the British West Indies were emancipated they manifested a zeal for education only second to that shown by the freedmen of America; but to-day, especially in Jamaica, "the liberated slaves," says Colonel Baylor, "have relaxed into degrading sloth, if not also into barbarism." No one who has investigated this case questions but it might have been otherwise. The fatal mistakes were in diminishing their wages to such a pittance as required all their energies to eke out a mere subsistence; also, the withdrawal of all government aid by way of educational provisions; likewise the absence of personal encouragement to people so much needing it, and without which the emancipated will seldom, if ever, do otherwise than lapse gradually from their first ambitions and aims into idleness and indifference.

Proper aid and encouragement have been so long withheld that the colored man is tired of waiting. Obstacles and embarrassments have stood above him so thick and seemingly insurmountable that he is already discouraged. He has also made the unfortunate discovery that ignorance does not debar from the polls, not even from political preferment. The evening school has given way, therefore, to the political caucus. The freedmen, as would be expected, are found first sinking into idleness and intemperance — are fast becoming tools for corrupt politicians to play with, and are falling into Roman fetichism and a worse than former licentiousness. If now any one is philosopher enough to tell how to reproduce that early blush of enthusiasm for education among freedmen let him speak.

The Mistakes of the Reconstruction Education

Montgomery Conference, Race Problems (1900), p. 108. A Southern view, from the address (1900) of Dr. J. L. M. Curry, a life-long worker for negro education. [1865-1875]

I HAVE very little respect for the intelligence or the patriotism of the man who doubts the capacity of the Negro for improvement or usefulness. The progress made by the Negroes in education, considering their environments, their heredity, the abominable scoundrels who have come here from other quarters to seduce and lead them astray, is marvelous. . . It is not just to condemn the Negro for the education which he received in the early years after the war. That was the period of reconstruction, the saturnalia of misgovernment, the greatest possible hindrance to the progress of the freedmen, an immitigable curse, the malignant attempt to use the Negro voter as a pawn in the corrupt game of manufacturing members of Congress. The education was unsettling, demoralizing, pandered to a wild frenzy for schooling as a quick method of reversing social and political conditions. Nothing could have been better devised for deluding the poor Negro, and making him the tool, the slave of corrupt taskmasters. Education is a natural consequence of citizenship and enfranchisement, I should say of freedom and humanity. But with deliberate purpose to subject

the Southern States to Negro domination, and secure the States permanently for partisan ends, the education adopted was contrary to common-sense, to human experience, to all noble purposes. The curriculum was for a people in highest degree of civilization; the aptitude and capabilities and needs of the Negro were wholly disregarded. Especial stress was laid on classics and liberal culture to bring the race *per saltum* to the same plane with their former masters, and realize the theory of social and political equality. A race more highly civilized with best heredities and environments, could not have been coddled with more disregard of all the teachings of human history and the necessities of the race. Colleges and universities, established and conducted by the Freedmen's Bureau and Northern churches and societies, sprang up like mushrooms, and the teachers, ignorant, fanatical, without self-poise, proceeded to make all possible mischief. It is irrational, cruel to hold the Negro, under such strange conditions, responsible for all the ill consequences of bad education, unwise teachers, reconstruction villanies and partisan schemes. To educate at all, slowly, was a gigantic task.

Armstrong's Plans for Negro Education

Edith A. Talbot, *Samuel Chapman Armstrong*, pp. 157, 207. Copyright, 1904. Used by permission of Mrs. Talbot. The first extract is from one of Armstrong's letters; the second is a statement written by Booker T. Washington, one of General Armstrong's pupils.

[1868]

[1] THE thing to be done was clear, to train selected Negro youths who should go out and teach and lead their people, first by example, by getting land and homes; to give them not a dollar that they could earn for themselves; to teach respect for labor, to replace stupid drudgery with skilled hands, and to those ends to build up an industrial system for the sake not only of self-support and intelligent labor, but also for the sake of character.

[2] I think I might state his objects briefly as follows:

First. He was anxious to give the colored people an idea of the dignity, and the beauty and civilizing power of intelligent

labor with the hand. He was conscious of the fact that he was dealing with a race that had little necessity to labor in its native land before coming to America, and after coming to this country were forced to labor for two hundred and fifty years under circumstances that were not calculated to make the race fond of hard work.

Second. It was his object to teach the Negro to lift labor out of drudgery and toil by putting thought and skill into it.

Third. He saw that through the medium of industrial education he could bring the two races in the South into closer relations with each other. He knew that in other matters there were differences which it would take years to change, but he knew that industrially the interests of the two races were identical in the South, and that as soon as he could prove to a southern white man that an educated skilled Negro workman was of more value to the community than an ignorant, shiftless one, the southern white man would take an interest in the education of the black boy.

Fourth. Through the industrial system at the Hampton Institute it was his object to give the students an opportunity to work out a portion of their boarding expenses. In this way he meant to prevent the school becoming a hothouse for producing students with no power of self-help or independence. I have often heard him say that the mere effort which the student put forth through the industries at Hampton to help himself was of the greatest value to the student, whether the labor itself was of very much value or not. In a word, he meant to use the industries as a means for building character — to teach that all forms of labor were honorable and all forms of idleness a disgrace.

The idea of industrial education, beginning for our people at Hampton, has gradually spread among them until I am safe in saying that it has permeated the whole race in every section of the country. There is not a State in the Union where there is any considerable proportion of our race whose influence counts for anything in which they are not interested in industrial education and are manifesting this interest by the

establishment of a school or by other substantial helps. They now realize, as never before, that the education of the head, the heart and the hand must go together. That while we need classical and professional men, we need a still larger number trained along industrial lines.

Not only has General Armstrong's belief in industrial education spread among our people in the South, but its influence is felt in the West Indies and Africa and other foreign countries, to such an extent that there are many calls coming from these countries for industrial education.

The work at the Tuskegee Normal and Industrial Institute is simply one of the results of the work of the Hampton Institute. There are a number of industrial schools, either small or large, in every State where there are any considerable number of our people.

Perhaps the most interesting thing in connection with the influence of General Armstrong is the rapid growth and spread of industrial education among the southern white people. For a number of years after the Hampton Institute was started the southern white people gave no attention to the subject, and rather took for granted, I think, that it was something in which the Negroes only should receive training. But as they realized from year to year the rapid growth of industrial education among the colored people and the skill and intelligence which they were acquiring, southern white educators here and there began to make investigation and to inquire whether or not the same kind of education was not needed for the southern white boy and girl, and very carefully and modestly at first industries were introduced into a white school here and there. These schools, however, were not very popular among the white people at first, but the idea of industrial education among the southern white people has spread until at the present moment I think every southern State has one or more institutions established for this kind of training for white youths, and the industrial idea has become almost as popular among the white people as among the colored people.

I think I am not going too far when I make one other sug-

gestion, and that is that the whole country owes General Armstrong a debt not only for the rapid and permanent growth of industrial education among the colored people and white people of the South, but it is to him that all are indebted more than to any one man for the growth of the hand training in the northern and western States. It is seldom . . . that one individual has had the opportunity through a single idea to revolutionize the educational thought and activity of so large a proportion of the world as has been true of the founder of Hampton.

X

RECONSTRUCTION IN THE CHURCHES

X

RECONSTRUCTION IN THE CHURCHES

INTRODUCTION

Not only educational matters but church affairs also were involved in Reconstruction. No more complicated situations arose, no bitterer feelings were aroused, than those involved in the religious tangles growing out of the war and reconstruction. The history of church troubles begins early in the nineteenth century, as one by one the churches divide over the questions of slavery and abolition. By 1861 all of the important organizations, except the Catholic, had divided into Northern and Southern bodies. The negro church members before 1865 were usually attached to the white organizations, or to missions supported by the Southern churches. It is worthy of note that the negro church membership greatly increased after the separation of the churches.

The war and its results temporarily weakened the Southern church organizations; the membership was reduced by death; the buildings had been destroyed, or having been used for Confederate hospitals were confiscated; and serious troubles had arisen during the war involving the Southern churches, the Northern churches, and the United States government, or rather some of its officials. This trouble grew out of the attempt of the Federal army officials to regulate the church services in the South and the action of Secretary Stanton, who inaugurated in 1863 the policy of turning over to the various Northern churches the buildings and other property of the corresponding Southern denominations. Northern ministers were then appointed to fill Southern pulpits.

Out of this action arose disputes that lasted for years and some communities are still divided by them. The military regulation of church worship continued until 1866 and culminated after the war in such affairs as the Wilmer episode and the closing of the Episcopal churches in Alabama.

The close of the war did not bring a reunion of the churches. Only the Episcopal and the Methodist Protestant bodies reunited, and those were weak in numbers. On the border some Southern congregations went over to the Northern churches; while former Northern congregations sometimes went over to the Southern bodies. Owing to the irritation over the war policy of the government in the border states the Southern churches were the greater gainers by the secessions in 1865-1866, and after reorganization were much stronger in numbers and in influence than ever before. The Northern churches planned to extend their work into the South, all efforts at reunion having failed, because, as the Southern church people said, of the feeling growing out of the war; because those willing to reunite were asked to make professions of "loyalty" or to comply with irritating conditions; but above all, a cause of failure was the "disintegration and absorption" policy which would take in the members and leave the Southern ministers out. However, some material existed from which the Northern bodies constructed weak organizations in the South: (1) the Southern Unionists; (2) a few preachers who disliked to continue in the Southern organizations; and (3) the negroes. The Stanton policy had given a certain amount of church property into their hands.

After reunion of the whites had failed, the Northern and the Southern churches were rivals for religious control of the negroes. The Southern churches, for obvious

reasons, selfish and unselfish, wished to retain their negro membership and the influence that went with it; and all the denominations made formal declarations of policy and began mission work among the negroes, long before all the white congregations were again supplied. The general Northern view was that the Southern whites were not safe guides for the blacks in religion any more than in politics and education, and their churches entered the mission field in opposition. As a result of the various religious movements most of the Southern mission work among the negroes was discontinued before 1875 and nearly all their negro members went to the African churches that came down from the North, such as the A. M. E. Zion Church; to the missions of Northern white organizations, such as the Methodist Episcopal Church (North); and to independent organizations formed for the blacks by the Southern white churches, such as the Colored Methodist Episcopal Church.

During the period of Reconstruction the Southern whites complained of the "disintegration and absorption" policy; they asserted that the Northern missionaries stirred up strife between the races, taught doctrines of social equality, made the negroes impudent, were "emissaries of Christ and the Radical party," that they gave unfair reports of Southern conditions, and in general were not of sound judgment and some of them not of the best character. The missionaries on the other hand declared that the whites were bitterly hostile to the Northern missionaries, ostracised them socially, murdered them, and burned their churches. The negro members under the guardianship of Southern white churches were ostracised and otherwise mistreated. When the Roman Catholic Church entered the field the Protestant churches of both sections opposed it.

The church problems were not solved during Reconstruction. At the close of the period the great churches were still sectional. Most of the negroes were in separate race churches, but, as in education, they were under Northern direction; and as harsh feelings had not subsided, the religious division seemed permanent.

REFERENCES

Northern Occupation of Southern Churches: Crooks, *Life of Bishop Simpson*, p. 439; Fleming, *Civil War and Reconstruction in Alabama*, p. 227; Lincoln, *Complete Works*, vol. ii, p. 291 *et seq.*; Nicolay and Hay, *Abraham Lincoln*, vol. vi, ch. 15; Wilmer, *Recent Past*, p. 139.

Military Regulation of Church Services: Fleming, p. 228; Garner, *Reconstruction in Mississippi*, p. 35; Nicolay and Hay, vol. vi, p. 334; Wilmer, p. 139.

The Wilmer Episode: Fleming, p. 324; Perry, *History of the American Episcopal Church*, vol. ii, p. 328; Whitaker, *Church in Alabama*, p. 172; Wilmer, p. 145.

The Confederate Church: Fleming, p. 24; Perry, vol. ii, p. 328 *et seq.*; Wilmer, p. 225.

The "Disintegration and Absorption" Policy: Buckley, *History of Methodism in the United States*, p. 516; Crooks, p. 443; Fleming, p. 637; Smith, *Life and Times of George F. Pierce*, pp. 491, 499, 505, 550.

The Organization of Northern Churches in the South: Fleming, pp. 637, 648; Matlock, *Anti-Slavery Struggle and Triumph*, p. 339.

Religion of the Slaves: DuBois, *The Negro Church*, pp. 1-35; Harrison, *Gospel among the Slaves*, ch. 1-15; Mallard, *Plantation Life*, ch. 10-22; Thomas, *The American Negro*, ch. 6.

Formation of Negro Churches: *Census of 1890*, Statistics of Churches, *passim*; Fleming, p. 272 and ch. 20; Harrison, ch. 16-18; Mallard, ch. 24; Thomas, p. 169.

The Northern and Southern Churches and the Negro: Carroll, *Religious Forces*, pp. 263, 294; Fleming, p. 641; *Freedmen's Aid Society Reports*; Riley, *Baptists of Alabama*, p. 310; Thomas, p. 169.

Results and Later Problems: Bruce, *Plantation Negro*, ch. 7; Fleming, pp. 648-651; *Montgomery Conference*, Race Problems; Page, *The Negro*, pp. 65, 74; Thomas, ch. 6.

1. MILITARY REGULATION OF CHURCHES

Northern Churches in Control of Southern Churches

McPherson, *History of the Rebellion*, pp. 522, 523. Similar orders were issued for the other Northern churches except the Catholic and the Protestant Episcopal, and the Southern church buildings were turned over to the Northern churches of the same denomination. [1864]

War Department, Adjutant General's Office,
Washington, November 30, 1863.

To the Generals commanding the Departments of the Missouri, the Tennessee, and the Gulf, and all the Generals and officers commanding armies, detachments, and posts, and all officers in the service of the United States in the above named Departments:

You are hereby directed to place at the disposal of Rev. Bishop Ames all houses of worship belonging to the Methodist Episcopal Church, South, in which a loyal minister, who has been appointed by a loyal Bishop of said church, does not now officiate.

It is a matter of great importance to the government, in its efforts to restore tranquility to the community and peace to the nation, that Christian ministers should, by example and precept, support and foster the loyal sentiment of the people.

Bishop Ames enjoys the entire confidence of this Department, and no doubt is entertained that all ministers who may be appointed by him may be entirely loyal. You are expected to give him all the aid, countenance, and support practicable in the execution of his important mission.

You are also authorized and directed to furnish Bishop Ames and his clerk with transportation and subsistence when it can be done without prejudice to the service, and will afford them courtesy, assistance and protection.

By order of the Secretary of War:

E. D. Townsend,
Assistant Adjutant General.

Headquarters Department of Memphis,
December 23, 1863.

REV. BISHOP AMES: In obedience to orders of the Secretary of War, dated Washington, November 30th, 1863, a copy of which is here attached, I place at your disposal a "house of worship" known as "Wesley Chapel," in the City of Memphis, State of Tennessee, the said house being claimed as the property of the Methodist Episcopal Church South, and there being no loyal minister, appointed by a loyal Bishop, now officiating in said house of worship.

I am very respectfully, your obedient servant,

JAMES C. VEATCH,
Brigadier General.

Military Regulation of Church Services

McPherson, *History of the Rebellion*, pp. 538-543. Such regulations, as outlined in the following orders, were in force until the early part of 1866, when the Wilmer case was finally decided. This policy began in 1862. [1864]

Headquarters U. S. Forces,
Natchez, Miss., June 18, 1864.

Special Order, No. 31.

II. The Colonel commanding this district having been officially notified that the pastors of many churches in this city neglect to make any public recognition of allegiance under which they live, and to which they are indebted for protection, and further, that the regular form of prayer for "the President of the United States, and all others in authority," prescribed by the ritual in some churches, and by established custom in others, has been omitted in the stated services of churches of all denominations, it is hereby

Ordered, That hereafter, the ministers of such churches as may have the prescribed form of prayer for the President of the United States, shall be read at each and every service in which it is required by the rubrics — and that those of other denominations, which have no such form — shall on like occasions pronounce a prayer appropriate to the time, and expressive of the proper spirit toward the Chief Magistrate of the United States.

Any minister failing to comply with these orders, will be immediately prohibited from exercising the functions of his office in this city — and render himself liable to be sent beyond the lines of the United States forces. . .

Norfolk, Va., Feb. 11, 1864.

General Order No. 3.

All places of public worship in Norfolk and Portsmouth are hereby placed under the control of the provost marshals of Norfolk and Portsmouth respectively, who shall see the pulpits properly filled by displacing, when necessary, the present incumbents, and substituting men of known loyalty and the same sectarian denomination, either military or civil, subject to the approval of the commanding general. They shall see that all churches are open free to all officers and soldiers, white or colored, at the usual hour of worship, and at other times, if desired; and they shall see that no insult or indignity be offered to them, either by word, look, or gesture on the part of the congregation. The necessary expenses will be levied as far as possible, in accordance with the previous usages or regulations of each congregation respectively.

Closing the Episcopal Churches

War Department Archives. Bishop Wilmer was consecrated in the Confederate church. The Northern Episcopal churches protested against his suspension and thus made easy the way for a reunion. [1865]

Headquarters Department of Alabama,
Mobile, Ala., Sept. 20, 1865.

General Order No. 38.

The Protestant Episcopal Church of the United States has established a form of prayer to be used for "the President of the United States and all in civil authority." During the continuance of the late wicked and groundless rebellion the prayer was changed for one for the President of the Confederate States, and so altered, was used in the Protestant Churches of the Diocese of Alabama.

Since the "lapse" of the Confederate government, and the restoration of authority of the United States over the late re-

bellious States, the prayer for the President has been altogether omitted in the Episcopal Churches of Alabama.

This omission was recommended by the Rt. Rev. Richard Wilmer, Bishop of Alabama, in a letter to the clergy and laity, dated June 20, 1865. The only reason given by Bishop Wilmer for the omission of a prayer, which, to use his own language, "was established by the highest ecclesiastical authorities, and has for many years constituted a part of the liturgy of the church," is stated by him in the following words:

"Now the church in this country has established a form of prayer for the President and all in civil authority. The language of the prayer was selected with careful reference to the subject of the prayer — all in civil authority — and she desires for that authority prosperity and long continuance. No one can reasonably be expected to desire a long continuance of military rule. Therefore, the prayer is altogether inappropriate and inapplicable to the present conditions of things, when no civil authority exists in the exercise of its functions. Hence, as I remarked in the circular, we may yield a true allegiance to, and sincerely pray for grace, wisdom and understanding in behalf of, a government founded on force, while at the same time we could not in good conscience ask for its continuance, prosperity, etc."

It will be observed from this extract, first, that the bishop, because he cannot pray for the continuance of "military rule," therefore declines to pray for those in authority; second, he declares the prayer inappropriate and inapplicable, because no civil authority exists in the exercise of its functions. On the 20th of June, the date of his letter, there was a President of the United States, a Cabinet, Judges of the Supreme Court, and thousands of other civil officers of the United States, all in the exercise of their functions. It was for them especially that this form of prayer was established, yet the bishop cannot, among all these, find any subject worthy of his prayers.

Since the publication of this letter a civil governor has been appointed for the state of Alabama, and in every county judges and sheriffs have been appointed, and all these are, and for

weeks have been, in the exercise of their functions; yet the prayer has not been restored.

The prayer which the bishop advised to be omitted is not a prayer for the continuance of any particular form of government or any particular person in power. It is simply a prayer for the temporal and spiritual weal of the persons in whose behalf it is ordered — it is a prayer to the High and Mighty Ruler of the Universe that He would with His power behold and bless His servant — the President of the United States — and all others in authority; that He would replenish them with grace of His holy spirit that they might always incline to His will and walk in His ways; that He would endow them plenteously with Heavenly gifts, grant them in health and prosperity long to live, and finally after this life, to attain everlasting joy and felicity. It is a prayer at once applicable and appropriate, and which any heart not filled with hatred, malice and all uncharitableness, could conscientiously offer.

The advice of the bishop to omit this prayer, and its omission by the clergy, is not only a violation of the canons of the church, but shows a factious and disloyal spirit, and is a marked insult to every loyal citizen within the department. Such men are unsafe public teachers, and not to be trusted in places of power and influence over public opinion.

It is, therefore, ordered, pursuant to the directions of Major-General Thomas, commanding the military division of Tennessee, that said Richard Wilmer, bishop of the Protestant Episcopal Church of the Diocese of Alabama, and the Protestant Episcopal clergy of said diocese be, and they are hereby suspended from their functions, and forbidden to preach, or perform divine service; and that their places of worship be closed until such time as said bishop and clergy show a sincere return to their allegiance to the government of the United States, and give evidence of a loyal and patriotic spirit by offering to resume the use of the prayer for the President of the United States and all in civil authority, and by taking the amnesty oath prescribed by the President.

This prohibition shall continue in each individual case until

special application is made through the military channels to these headquarters for permission to preach and perform divine service, and until such application is approved at these or superior headquarters.

District commanders are required to see that this order is carried into effect.

By order of Major-General Chas. R. Woods.

Headquarters Military Division of the Tennessee,
Nashville, Tenn., December 22, 1865.

General Order No. 40.

Armed resistance to the authority of the United States having been put down, the President, on the 29th of May last, issued his Proclamation of Amnesty, declaring that armed resistance having ceased in all quarters, he invited those lately in rebellion to reconstruct and restore civil authority, thus proclaiming the magnanimity of our government towards all, no matter how criminal or how deserving of punishment.

Alarmed at this imminent and impending peril to the cause in which he had embarked with all his heart and mind, and desiring to check, if possible, the spread of popular approbation and gratefull appreciation of the magnanimous policy of the President in his efforts to bring the people of the United States back to their former friendly and national relations one with another, an individual, styling himself Bishop of Alabama, forgetting his mission to preach peace on earth and good will towards men, and being animated with the same spirit which through temptation beguiled the mother of men to the commission of the first sin — thereby entailing eternal toil and trouble on earth — issued, from the shield of his office, his manifesto of the 20th of June last to the Clergy of the Episcopal Church of Alabama, directing them to omit the usual and customary prayer for the President of the United States and all others in authority, until the troops of the United States had been removed from the limits of Alabama; cunningly justifying this treasonable course, by plausibly presenting to the minds of the people that, civil authority not yet having been restored in Alabama, there was no occasion for

the use of said prayer, as such prayer was intended for the civil authority alone, and as the military was the only authority in Alabama it was manifestly improper to pray for the continuance of military rule.

This man in his position as a teacher of religion, charity, and good fellowship with his brothers, whose paramount duty as such should have been characterized by frankness and freedom from all cunning, thus took advantage of the sanctity of his position to mislead the minds of those who naturally regarded him as a teacher in whom they could trust, and attempted to lead them back into the labyrinths of treason.

For this covert and cunning act he was deprived of the privileges of citizenship, in so far as the right to officiate as a minister of the Gospel, because it was evident that he could not be trusted to officiate and confine his teachings to matters of religion alone — in fact that religious matters were but a secondary consideration in his mind, he having taken an early opportunity to subvert the Church to the justification and dissemination of his treasonable sentiments.

As it is, however, manifest that so far from entertaining the same political views as Bishop Wilmer, the people of Alabama are honestly endeavoring to restore the civil authority in that state, in conformity with the requirements of the Constitution of the United States, and to repudiate their acts of hostility during the past four years, and have accepted with a loyal and becoming spirit the magnanimous terms offered them by the President; therefore, the restrictions heretofore imposed upon the Episcopal clergy of Alabama are removed, and Bishop Wilmer is left to that remorse of conscience consequent to the exposure and failure of the diabolical schemes of designing and corrupt minds.

By command of Major-General Thomas.

A Pugnacious Methodist Preacher

Richardson, *Lights and Shadows of Itinerant Life*, (1901), pp. 183-4. Used by permission of Smith and Lamar. Copyright, 1901. Richardson was preaching in Georgia and Alabama. He belonged to the Southern Methodist church. [1865-1866]

THE negro garrison began to forage around on the country. The brethren came to me and asked me what they ought to do. I told them to bushwhack them. They made a few shots at the negroes, and that kept them close in their quarters. . .

The little captain issued an order that no rebel should preach unless he took the oath of allegiance and prayed for the President. . . Colonel Livingston, a true Methodist, came to me and advised me to take the oath. . . I told him I did not feel like it, and did not want to do it. Saturday afternoon came, and the colonel called again. At last I consented, and we went around to the captain's office. I informed him that I would do it with mental reservation. He said then if he were me he would not take it at all. I took the oath square. . .

I prayed for the President; that the Lord would take out of him and his allies the hearts of beasts, and put in them the hearts of men, or remove the curses from office. The little captain never asked me any more to pray for the President and the United States.

2. DIVISION OR REUNION

Feeling in the Southern Church

Wilmer, *Recent Past*, p. 158. Letter from Bishop Wilmer of Alabama to Bishop Hopkins of Vermont, explaining that for the present the Alabama diocese would remain separate. [August 1, 1865]

THE best men of the South are now under the ban. I cannot now recall the name of a single man, of those who have been ordinarily selected to represent the Southern dioceses in General Convention, who is not, in the estimation of public opinion at the North, "a rebel and traitor." But, more than this, they are classed under the President's proclamation as "unpardoned rebels and traitors." . . The prominent men of the South in the army attained a grade which now excludes them from the general amnesty; the highest legal talent was placed in judicial positions, the occupancy of which renders them liable to the extremest penalties of the law; the best talent in commercial, and agricultural life has been so unfortunate as to accumulate property above twenty thousand dollars in amount.

Now from these classes of men, . . the Church would naturally select her deputies to the General Convention. It is a most significant fact (and one which must be understood, in all its bearings, by the Northern mind, before deputies from all sections of the country can meet together in becoming harmony, and needful mutual respect), that the men whom, . . we regard as the most truly loyal, and in all respects trustworthy, are precisely those who are stigmatized by the people of your section, and by your Bishops in their Pastorals, as "rebels and traitors." It is surely not unreasonable to assume that your people are honest in their opinions, and that they will be consistent in their actions. . . It may therefore, reasonably be expected that they who denounced their Southern brethren as "traitors" will question the propriety of allowing them to take part in the deliberations of a "loyal Church." . .

Moreover, the Southern deputies themselves may very naturally be supposed to have some sentiment in this matter. Their

sons and brothers lie in bloody graves; their lands are desolate, and strangers devour it in their presence; their emancipated slaves garrison their cities; they live themselves . . under the ban; their representative man, no guiltier than themselves, is in bonds, and may have to die an ignominious death. The whole Southern people, therefore, are at this moment awaiting trial in the person of their representative head; they are denounced as felons, and a shackled press is forbidden to speak a word of vindication or remonstrance. Your own heart, good Bishop, will tell you that men in such a condition are in no mood to join in *jubilates* over a restoration which is sealed by their degradation. The peace, for which *Te Deums* will be chanted, is purchased by the loss of their inheritance, and they are now sitting in the deep valley of humiliation. . .

Should the animus of the next General Convention be such as to commend itself to the heart and mind of the South, there will, I think, after a while, be no general disposition to keep up a separate organization. The General Council [Church, South] will be held, according to adjournment, at Mobile in November [1865] next. Its action as a matter of course, must be somewhat affected by the animus exhibited in the General Convention [Church, North]. . .

Depend upon it . . that any restoration of our ancient relations, which looks to the establishment of lasting harmony in the Church, must be based upon a good mutual understanding, and upon a due regard for the rights and feelings of all concerned.

The Church Situation in Virginia

Report of Joint Committee on Reconstruction, part ii, pp. 89-91. Statement of a Unionist clergyman. [1866]

Bishop Gregg [of Texas] remarked to me a few days ago, in conversation on the subject: "I consulted nobody in regard to my action in forming a southern church, when I supposed that the confederate government was a *de facto* government; but the moment that the confederate government ceased to be a *de facto* government, I did not wait to consult the authorities of the southern church, but notified the presiding bishop of the

Episcopal church in the United States that we were again in harmony with the national church." . . The fact that the diocese of Virginia has failed to put itself in connection with the national church, (the last that has failed to do so with the exception, perhaps, of South Carolina,) convinces me that there is a good deal of very decided feeling among the clergy and laity against harmonizing with the government. . . It indicates strong feeling and sentiment among the people. . .

There was a meeting at the close of last September; since that time there has been a meeting of the Council, as it is called, of the Episcopal Church of the Confederate States. At that council, the position of the clergy of Virginia, I am informed, was the most decided in sustaining the continuing of the council, and most opposed to any union with the national church. There is a series of articles publishing in the Southern Churchman, (. . the main paper of the southern church,) which are vindicatory of the southern church. The southern church is not satisfied with the general convention of the Protestant Episcopal church in the United States being entirely silent concerning the past, but appears to be desirous of creating a sentiment sustaining their own action. The laity of the church, particularly those who have suffered by the war, widow ladies and others who have lost their children, have, in a few instances, begun to show a change of feeling, and seem now like looking at things in their true light. As an evidence of this improved feeling, some of them come to our church now; (it is the Union church of the place [Alexandria, Virginia], the gathering point of the Union people, and has been open during the whole war). The fact that there are some who attend that church now, is, perhaps, a pretty good evidence of a change of feeling; but they are very few, . . they who are politicians, and desire to be politicians and the leaders of social life, manifest a more intensified feeling. The females, those especially whose pride has been humbled, are more intense in their bitterness and endeavor to keep up a social ostracism against Union and northern people. . .

The Baptists appear, as a whole, to be, perhaps, the most

bitter, and the southern Methodists possibly come next. The southern Methodists in Virginia are modified by the leaven of the Baltimore Conference, which conference extended over the free States, and the preachers of which were in connexion with northern churches till 1861, when they formed a separate body. . . The Baltimore Conference of the Methodist Episcopal church north, within the last few days, in conference at Alexandria, have united formally with the church south. Bishop Early, of the southern Methodist church, is now presiding. While the effect of that union will be, . . to magnify the southern church, there is another influence that will necessarily result from it, namely; that the leaven will, perhaps, modify the feeling again so as to make it less intense. That will be so, except with those individuals who, forsaking one position and going to another, are generally in advance in zeal for their newly espoused cause, just as northern men at the south, who are disunion men, are generally intensely so. This, perhaps, applies to the present state of things among the Methodists in Virginia. There is a small body of Presbyterians in Alexandria who are true Union people; but such has been the feeling in the church that perhaps a majority of the former whole body of the old church have left the church in which they have been baptized and educated, and have associated themselves with what is called now the Second Presbyterian church — a New School Presbyterian church, reputed to be intensely disloyal — thus giving evidence of their willingness, for the sake of their notions in matters in issue for the last four years, to sacrifice even their ecclesiastical connexions. This feeling of sympathy with the south has been even shown of the Quakers at Alexandria, to my perfect astonishment. I learn that they are about as decided in regard to the respectability of secession as any other class of people. The Protestant Methodist church, I am told, is equally divided.

Position of the Methodists in Regard to Reunion

Annual Cyclopedia, 1865, p. 553; *1869*, p. 443. The first document is a pastoral letter of the bishops of the Methodist Episcopal Church, South, to their clergy. The second is the reply of the Southern bishops to a proposal from the Northern Methodist Church.

[1865-1869]

[1865] The abolition, . . of the institution of domestic slavery in the United States does not affect the question that was prominent in our separation in 1844. Nor is this the only difference or principal one between us and [the Northern Methodist Church]. While testifying with pleasure to the nobler conduct and sentiments of many brethren among them, we must express with regret our apprehension that a large portion, if not a majority, of Northern Methodists have become incurably radical. They teach for doctrine the commandments of men. They preach another gospel. They have incorporated social dogmas and political tests into their church creeds. They have gone on to impose conditions upon discipleship that Christ did not impose. Their pulpits are perverted to agitations and questions not healthful to personal piety, but promotive of political and ecclesiastical discord. . . Without such a change as we see no immediate prospect of, in their tone and temper and practice, we can anticipate no good result from even entertaining the subject of reunion with them. . . Preach Christ and Him crucified. Do not preach politics. You have no commission to preach politics. The divinity of the Church is never more strikingly displayed than when it holds on its even, straightforward way in the midst of worldly commotions. . .

The conduct of certain Northern Methodist bishops and preachers in taking advantage of the confusion incident to a state of war to intrude themselves into several of our houses of worship, and in continuing to hold these places against the wishes and protests of the congregations and rightful owners, causes us sorrow and pain, not only as working an injury to us, but as presenting to the world a spectacle ill calculated to make an impression favorable to Christianity. They are not only using, to our deprivation and exclusion, churches and parsonages which we have builded, but have proceeded to set up a

claim to them as their property; by what shadow of right, legal or moral, we are at a loss to conceive. We advise our brethren who suffer these evils to bear them patiently, to cleave closely together and not indulge in any vindictive measures or tempers. A plain statement of the case, and an appeal to the justice of those in authority cannot fail to defeat such scandalous designs, and secure us the full restoration of all our rights.

While some talk of the reunion of the two Churches, we forewarn you of a systematic attempt, already inaugurated, and of which the foregoing is only an instance, to disturb and if possible disintegrate and then absorb our membership individually. In the meeting [1864] of their bishops and missionary secretaries, alluded to, it was resolved to send preachers and plant societies in our midst wherever there is an opening. Their policy is evidently our division and ecclesiastical devastation. Against all this be on your guard. . . In this connection you will be pleased to hear that our people are steadfast. The border conferences, under special trials, present a noble example of steadfastness.

[1869] You [the Northern Church] say that "the great cause which led to the separation from us of both the Wesleyan Methodists of this country, and of the Methodist Episcopal Church, South, has passed away." If we understand your reference, we so far differ from you in this opinion, that it may help any negotiations hereafter taking place, to restate our position. Slavery was not in any proper sense, the cause, but the occasion only of that separation, the necessity of which we regretted as much as you. But certain principles were developed in relation to the political aspects of that question, involving the right of ecclesiastical bodies to handle and determine matters lying outside of their proper jurisdiction, which we could not accept; and in a case arising, certain constructions of the constitutional powers and prerogatives of the General Conference were assumed and acted on, which we considered oppressive and destructive of the rights of the numerical minority represented in that highest judiciatory of the Church.

That which you are pleased to call . . "the great cause" of separation existed in the Church from its organization, and yet for sixty years there was no separation. But when those theories, incidentally involved in connection with it, began to be put into practice, then the separation came.

We cannot think you mean to offend us when you speak of our having separated from you, and put us in the same category with a small body of schismatics who were always an acknowledged secession. Allow us in all kindness, brethren, to remind you, and to keep the important fact of history prominent, that we separated from you in no sense in which you did not separate from us. The separation was by compact and mutual, and nearer approaches to each other can be conducted with hope of a successful issue only on this basis.

It is our opinion that the controversies and tempers which so disturb the Churches, and are so hurtful to the souls of those for whom Christ died, are due in a large measure to irritating causes which are not entirely beyond the control of the chief pastors of the separated bodies. To this end we invite your concurrence and coöperation.

Northern Ministers Driven Out

Report of the Joint Committee on Reconstruction, part ii, p. 45. Statement of a Methodist preacher from Connecticut. Conditions were so in all the border states. In East Tennessee and other Unionist districts Southern preachers were driven out. [1866]

Ecclesiastical bodies in Virginia are now divided upon sectional grounds. Before the war, churches in Virginia and in the south were connected with one of the general assemblies. They have now a synod of their own in the south, and on no ground that I can see, except on the sectional ground. I refer to the Presbyterian body, Old School. The Presbyterian body, New School, was divided before the war; that is, there was a southern assembly and a northern assembly. Since the war the Old School body and the New School body have merged all their doctrinal divisions, and have come together and united in doctrine; whereas they were divided before, discarding all connexion with the north. . .

As to the Methodist denominations the same things have occurred there. . . Although the Methodist denomination was divided before the war on the question of slavery, yet there were many churches in the valley of Virginia still connected with the north by the Baltimore conference. Since the war these churches have gone over to the south, and withdrawn their connexion from the north. The preacher who was sent by the Baltimore conference to the church at Winchester was confronted in the pulpit by Mr. Wilson, a minister, who belongs to the southern connexion, and who took the hymn-book out of his hand and went on and preached the sermon. . . General Ayres, the general of the department, was in the congregation at the time, and sent word to Mr. Wilson not to appear in the evening; he had given notice of a meeting in the evening. That congregation has all withdrawn from the church and gone to the southern church, leaving the pews to the few Unionists who are there, officers of the army, etc. They all go to the Union church to sustain it, but the body of the people have gone to the southern church. . .

In Berryville recently a mob broke up the meeting of a Methodist minister who had been sent by the Baltimore conference, in his own church where he was preaching. The mob assailed him, and drove him out of the pulpit and out of the church, and one of them fired a gun or pistol. The rebels said that they had fought four years, and would fight four years longer to break up such an establishment as that. . . Northern ministers are not invited to preach in the south at all.

Border Churches Go with the South

Report of Joint Committee on Reconstruction, part ii, p. 39. Statement of a Virginia Unionist. The border churches alienated by the events of the war often went over to the Southern organizations in 1865-66. In the Unionist districts the congregations went over to Northern churches. [1866]

NEARLY all those who during the rebellion adhered to the Baltimore conference, have gone now with the southern Methodists; and that reduces the northern Methodist church — as the southern people call it — to very few, except along the

northern border of the county. I heard Mr. Ross state last summer, in the pulpit of the Rehoboth church in our county, that he proposed to preach at Hamilton, in Loudon county; but they would not let him have the key of the church in which he proposed to preach, and they would not let him have the church. These are evidences of their hostility.

3. ORGANIZING NORTHERN CHURCHES IN THE SOUTH

Organizing a Northern Church in New Orleans

True Delta, March 28, 1864, in McPherson, *Rebellion*, p. 523. This so-called "government plan" was the one which Lincoln repudiated. See his *Complete Works, index*. [1864]

In accordance with the [U. S.] government plan concerning the churches of the South, the Board of Missions of the Methodist Episcopal Church have sent the Rev. J. P. Newman, D. D., to New Orleans, to take charge of all the churches of that powerful denomination [M. E. Church, South] there. . .

On being introduced by the chairman, Dr. Newman said: There were three reasons for sending a minister from New York to New Orleans:

1. It was in harmony with the theory of labor as held by the Methodist Church. There is no such church as the Methodist Church North. Ours is the Methodist Episcopal Church. We are not sectional. We acknowledge no geographical limits less than the world itself. . . In the separation of 1844,[1] our church relinquished no right to labor in the South. . . We reject the sentiment that we are encroaching upon the rights of others. . .

2. It is required by the present state of the country. Thousands of our citizens have followed in the track of our victorious armies, "to build the old wastes, and raise up the former desolations and repair the waste cities," and the church had been recreant to her trust had she not provided them with the ministry of the Word. We have too long trusted our Northern men who have taken up their residence South to the exclusive influence of Southern teaching; . .

This movement was justified by the present disorganized and destitute condition of the Southern churches. Their former ministers had either fled or been silenced, or imprisoned, or

1. In 1844 the Methodist Episcopal church divided into two bodies; a Northern and a Southern.

banished, and it had become the solemn duty of the Mother Church to send shepherds to these deserted and scattered flocks. A shepherd would never leave his flock though all of Uncle Sam's guns were turned against him. (Applause.)

But we find ourselves met on the threshold by two embarrassments, of which I have heard since my arrival in New Orleans:

1. The question of property confronts us. We are denounced as church robbers; are charged of having robbed the people of the South of their church property.

My answer is: The right of church property has never been disturbed, as far as we are concerned.

The General Government has seen fit to seize these churches, but it has not conveyed their title to us. There has been no passing of deeds. We do not own an inch either of this or of any other church in the South.[1] The Secretary of War wrote to the General commanding this Department to place at the disposal of Bishop Ames the Methodist Churches for the use of the loyal ministers. If there has been any robbery the accusation lies against the General Government. But the General Government has committed no robbery. It was aware that these churches were occupied . . by congregations united by disloyal sympathies and by teachers disposed to inculcate treason. It knew that if they were placed under the care of the Methodist Church they would be occupied by no ministers but would be loyal to the Government, and that they would be likely to gather around them loyal hearers. . . He did not want to hear another word about the robbery of church property while he was in New Orleans.

2. Another embarrassment is the charge that the Methodist Church is a political church, and, therefore, should not be tolerated in the South. . .

Does it mean that our church is loyal to the General Government? If this be the meaning, I shall admit the charge. We hold and teach that loyalty is a religious duty, as truly obliga-

1. In 1848 the Northern Methodists repudiated as null and void the plan of separation and after that some of their leaders claimed the property of the Southern churches, but the Supreme Court of the United States upheld the claims of the Southern church. See Crooks, *Life of Bishop Simpson*, ch. 15.

tory as prayer itself. . . Nor is it optional with the minister whether he inculcates loyal sentiments or not, for how shall a man be saved unless he be loyal?

Does it mean that we are opposed to the doctrine of State sovereignty, Secession and Rebellion? I accept the definition. From the Sabbath-school scholar to the minister, from the exhorter to the bishop, our whole membership reprobate these doctrines. . .

I hate cowardice and approbate the outspoken truthfulness of the ministers of the North; . . With no war has the church been more identified than with the present. With this war no Church has been more identified than the Methodist Church, both North and South.

The Methodist Church South has given no reluctant adhesion to the rebellion; has, perhaps, been foremost, *inter pares prima,* in the mad race of disunion.

The Methodist Church [North] has not been less unanimous and zealous in the defence of the Union. Her bishops, her ministers and her laity have nobly responded to the call of their country in this the hour of her peril. . . All our church papers and periodicals have given us uncompromising, zealous, persistent support in the Government, and have thrown the whole weight of their influence, intelligent as it was potent, on the side of the Union. . .

Much had been said about equality. But he believed that all men were equal in religious privileges, and ought to be equal in law; and he admonished his audience that if the Caucasian should reject the Gospel and refuse to fill the churches, (casting his eyes toward the galleries, which were filled with faces of a darker hue,) we turn to the sons of Africa. (Applause.)

"Reconstruction of Church and State"

Caldwell, *Reconstruction of Church and State in Georgia,* (1885). (Pamphlet). Caldwell was a Southern Methodist minister until 1865. [1865-1870]

THE re-establishment of our Church in Georgia was contemporaneous with the reconstruction of the civil government of that State, a period extending from 1865 to 1871. There could

have been no permanent re-establishment of the Church, after a separation of more than a score of years caused by the great schism of 1844, without a permanent re-establishment of the State government under the Reconstruction Acts of Congress, by means of which the rupture occasioned by Secession was healed. The two events constituted, therefore, a reconstruction, . . of Church and State. They were combined and close connected movements, the success of which alone, under God, could insure the peace and prosperity which the people of Georgia now enjoy.

The war of the rebellion, . . had come to an end in 1865. On the 4th of June in that year, soon after the publication of the President's proclamation of amnesty, I had a strange but solemn exercise of mind. . . I received new light and life from above, and during that night of agony and penitence formed a resolution which has continued unchangeable for nearly thirty years — that was, to speak plainly to the consciences of the people on a long forbidden topic — the evils of slavery. I accordingly, with great care and prayer to God for His assistance, prepared two sermons on Slavery and Southern Methodism, which I preached from my pulpit in Newman on the two following Sabbaths, June 11th and 18th. . .

The sermons were published by the [Northern Methodist] Book Concern in New York, and scattered extensively among the people. You remember well what an uproar they caused. A torrent of abuse, detraction and even slander, descended upon me. . .

In all my speeches I took the ground boldly, and with the earnestness of new-born conviction, that God had opened the gates of the South to the northern preacher and teacher to enter, in order to educate, elevate and save millions of ignorant and down-trodden human beings. The people seemed astonished to hear an ex-rebel thus speak, and regarded me as one just escaped from a fiery furnace — not dreaming that I could have spoken so and survived within the domain of the slave power. . .

At the same time I wrote Bishop Janes requesting him

to come and organize us. He sent my letter to Bishop Clark, who had charge of the Southern work. In due time the latter wrote me, appointing a day when he would visit us in Atlanta. Seven brethren met him there at the time appointed, and he organized the "Georgia and Alabama Mission District," connected it with the Kentucky Annual Conference, and appointed as its superintendent, Rev. J. F. Chalfant, of Cincinnati.

The seven preachers who were thus organized were all Southern men, and all, but one, members of the M. E. Church, South. . .

Everywhere, in the newspapers and by individuals, they were opposed, and sometimes by combinations of restless men who were vexed, if not infuriated, at the movement. Their hostility was greater than it would have been but for a mistake which was made at the outset. . .

In my intercourse with Northern ministers and laymen I frequently heard of a proposition, made by a distinguished clergyman,[1] to the effect that when the M. E. Church entered the South one of the leading objects should be to "disintegrate and absorb" the Methodist Episcopal Church, South. Alluding to it while I was addressing the New York Preacher's Meeting, several brethren — among them I think was Dr. (now Bishop) Foster — questioned me closely concerning the probable effect of that policy. I answered that the M. E. Church, South, could not be disintegrated; that it would soon recover its former position and be as compact and strong as ever. I took the ground that the Northern Church was Providentially called to the South chiefly for the benefit of millions of poor people [negroes] who were in need of schools and churches for their enlightenment and salvation. . . From all that I could learn I thought that a general idea prevailed at the North that the Southern Church was so shattered and torn by the confusion and desolation of the war, that its membership would probably in a large measure be absorbed by the M. E. Church. I labored to correct this mistake, and think that in many places I succeeded. . . Wishing, therefore, to make a fair and open

1. Dr. Curry, editor of the New York *Christian Advocate.*

declaration before the southern public of our purposes and principles, I prepared a document for that purpose, which I designed to have published, and moved the appointment of a committee for that purpose at our first meeting with Bishop Clark. The committee was appointed, I was its chairman; and my resolution was adopted without a single alteration. But when they were reported the Bishop took charge of the paper without putting it to a vote, and that was the last we saw of it.

I have always deplored the mistake of not publishing that declaration of our principles and aims, as it would have lessened and greatly modified the hostility of our opponents. The disintegrating project was already known in the South, and was being used to crush us.

We were held up before the public as a set of politico-ecclesiastical propagandists; as malignants, bent on mischief; provoking the ex-slaves to hate, and take revenge on, their former masters; as disturbers of the harmony and peace of the churches. The opposition to our organization became so violent, and one of the seven was so berated and intimidated, that he soon gave up his work; others who were getting ready to join us were deterred from doing so; and some, who were kindly disposed at first, became exceedingly hostile.

"Disintegration and Absorption"

Crooks, *Life of Bishop Simpson*, p. 444. Extracts from Dr. Curry's editorials in the New York *Christian Advocate*. [1866, 1867]

On February 22, 1866, the editor says: "The Church of the South, not less than the State, was built upon and fashioned to the institution of slavery; and as with the State, so with the Church, the removal of slavery necessitates a disintegration and reconstruction. This general remark applies more fully to Southern Methodism than to any other Southern ecclesiastical system on account of its denominational unity and common pastorate." The offer of lay delegation to the laity by the first Southern General Conference held after the war seemed to Dr. Curry to foretoken a dissolution of the Southern Church. On April 25, 1867, he says: "We doubt whether the (Southern)

laity are prepared to accept this degenerate bastard Methodism at the hands of their ministers. Let us be ready to give them that which they require — the Methodism of their fathers of the first century of our history, in spirit and form, as it ever has been. With this we may not only maintain our place in the South, but certainly disintegrate the rival body, and absorb whatever of it shall be found worth preserving." Dr. Curry was sincere in all this, but the results of history show that he was mistaken in his judgment of the course of events. Nor do I think that his opinion was generally entertained by our Church.

4. THE SOUTHERN WHITE CHURCHES AND THE NEGROES

Religious Instruction of the Colored People

(1) *Minutes of the Alabama Baptist State Convention, November, 1865*, p. 10. Report signed by W. P. Chilton; (2) *Minutes of the Synod of Alabama, October, 1865*, p. 18; (3) Montgomery *Advertiser*, November 11, 1865. Resolutions adopted by the Conference of the Methodist Protestant Church in Alabama; (4) Montgomery *Advertiser*, November 25, 1865. Speech of J. L. M. Curry at a meeting in Perry County. [1865]

[1] THE special Committee, to whom was referred the Report of the Committee on the Religious Instruction of the Colored People, together with instructions on the subject of their report, beg leave to submit the following:

1. *Resolved,* That the Churches of Christ having no legitimate connection with the State, should remain unchanged by the results of political revolutions, except in so far as these may open up new fields of usefulness, or as furnishing inducements for renewed and increased Christian effort.

2. That the changed political status of our late slaves does not necessitate any change in their relation to our churches; and while we recognize their right to withdraw from our churches and form organizations of their own, we nevertheless believe that their highest good will be subserved by their maintaining their present relation to those who know them, who love them, and who will labor for the promotion of their welfare.

3. That the condition of our colored population appeals very strongly to the sympathy of every Christian heart, and demands, at the hands of all who love the Saviour, renewed exertions for their moral and religious improvement; and to this end we would recommend the establishment of Sunday Schools, the providing for them the preached gospel, and the adoption of all practical appliances which will tend to ameliorate their condition, and induce them to become sharers in a common salvation.

[2] For many years past, . . we have been enabled to re-

port a marked and deepening interest in the instruction of the colored people. Indeed, such instruction was felt by ministers and churches, to be a part alike of ministerial duty and Christian obligation, which might not be neglected. And year after year, our hearts have rejoiced to hear of the signal success attending the labors of our Southern ministry in this direction. And while it is our painful duty to acknowledge, that the distractions incident to the sudden change recently made in their social status, produced a marked falling off in their attendance upon the preaching of our ministry,— such as, for a time, to awaken serious apprehensions, that the door of usefulness was closed to them; yet, there are evidences of returning confidence in our teachings, which afford encouragement to continue our labors for that people. We, therefore, urge our ministers not to be discouraged, but to redouble their efforts for usefulness in this field of labor.

[3] 1. *Resolved,* That the change in the social and domestic relations of our colored membership does not necessarily demand any change in their church relations.

2. *Resolved,* That we cherish an unabated interest in their spiritual welfare, and are in no wise disposed to withdraw from our oversight and sympathy in this particular.

3. *Resolved,* That we urge upon our ministry and membership the duty of increased attention to the religious instruction and improvement of our colored population, as the best means of fitting them for the duties and responsibilities of their new position.

[4] One thing particularly, I take the liberty to suggest: that is the proper religious instruction of those who were formerly our slaves. If this be not attended to at once; if it be not done liberally, speedily, and on a large scale, they will relapse into barbarism, perhaps cannibalism; and the land be filled with evils from which the imagination shrinks back in horror. If it be not done by *us,* it will be done by those alien, and to some extent hostile to us.

Organizing a Negro Church

I. T. Tichenor, *Work of the Southern Baptists Among the Negroes* (pamphlet). [1866]

In the early days the work among [the negroes] was done by tbe white pastors and leading members of the church. A certain part of every Baptist house of worship was set apart for them and they received the same spiritual instruction, were received into the same church fellowship, were baptized by the same pastor and participated with the other members in the Lord's Supper and other acts of worship. . . And wherever one of their own color manifested gifts suitable for the edification of his people, such an one was encouraged to exercise these gifts. . . The old minutes show that Cæsar McLemore was not unfrequently elected by the brethren composing the Association to preach to a white congregation [in Montgomery] of many hundreds who assembled on Sunday. . . In 1845, when the Southern Baptist Convention was organized, . . in proportion to the population there were more negroes than white people who were members of our churches. . . It not unfrequently happened in places like Montgomery, Alabama, where I [I. T. Tichenor] was pastor during the last decade preceding the war, that a half dozen useful men would be so trained as to become voluntary missionaries to the people of their own color residing on the large plantations in the adjoining country. When the war closed the First Baptist Church in Montgomery had about 900 members — of these about 300 were whites and 600 negroes. In my ministration of 15 years in that church I baptized over 500 colored people to its fellowship. The colored part of the church had its regular pastor, its Board of Deacons, held its own conferences, received and disciplined its own members under the supervision of the pastor of the white church with the senior deacon as his assistant.

When a separation of the two bodies was deemed desirable it was done by the colored brethren in conference assembled, passing a resolution couched in the kindliest terms, suggesting the wisdom of the division, and asking the concurrence of the white church in such action. The white church cordially ap-

proved the movement, and the two bodies united in erecting a suitable house of worship for the colored brethren. Until it was finished they continued to occupy jointly with the white brethren their house of worship as they had done previous to this action. The new house was paid for in large measure by the white members of the church and individuals in the community. As soon as it was completed the colored church moved into it with its organization all perfected, their pastor, Board of Deacons, committees of all sorts, and the whole machinery of church life went into action without a jar. Similar things occurred in all the States of the South.

Negro Missions of the Southern Baptists

Reports of the Baptist Home Mission Band, 1866, 1868. For several years the several Southern churches endeavored to carry on mission work among the negroes. [1866, 1868]

A LARGE number of intelligent and pious missionaries have been employed [1866] to preach to the freedmen of the South. The colored people prefer white missionaries to those of their own color. This is owing in no small degree to the fact that white ministers are better qualified to instruct them, and this is what they need — good, sound, theological instruction. These people are greatly improving, and show signs of advancement. . . A large amount of earnest and faithful labor has been spent upon these missions during the year [1868]. . . Thirty churches have been constituted by our missionaries, twenty-four meeting-houses commenced, eleven finished, and mostly for the benefit of these people. Six hundred and eleven have been baptized and many converted through the labors of the missionaries, but baptized by others whom they were assisting.

Negroes Need Religious Instruction

Ball, *History of Clarke County, Alabama.* p. 591. Report of Bethel (Alabama) Association in 1868. Southern Baptists. [1868]

WE are of the opinion that a large majority of the colored people do not really desire the instruction of any white man; and we are equally as strongly impressed with the opinion that

the cause of this opposition or indisposition to receiving such instruction is a manifestation of their great need for such instruction, and furnishes a strong reason why it should be given whenever any number of them can be prevailed upon to hear. . . They are a lamentably ignorant people — so ignorant indeed as not even to know the value of proper instruction. . . But this indisposition on their part will be no vindication of our conduct, if we relax our efforts on that account to impart to them a knowledge of the gospel of Christ. When Paul and his co-laborers preached the gospel to the heathen, and they were indisposed to hear, and even persecuted them, they did not relax their efforts, and leave them to live and die in ignorance; but they labored on, until, under the blessing of God, wonders were wrought in reforming the world. . . "Let us not be weary" in this important work: "for we shall reap, if we faint not."

The colored man is ignorant, but this ignorance is not so much a fault as a misfortune — and while this ignorance is the greatest difficulty in the way of instructing him, yet instruction is the only thing that can remove it. As light is poured into the mind, ignorance will be dispelled, and the difficulty will be finally removed. Let every minister and intelligent layman do his whole duty in this matter, and we shall see good results in the end of our labors. But the colored man is not only ignorant, but he is superstitious and fanatical. The last traits of character are only the legitimate fruits of his ignorance. All ignorant people are superstitious and fanatical. Instruct them, and these evils will . . be modified.

And while we recognize the commission of the Lord Jesus to be as wide as the world, and would not utter a word against sending the gospel to the far off heathen, but rather urge it as a duty, yet we are of the opinion that our first duty is to give religious instruction to the ignorant and destitute at our doors and in our employ, and among whom we and our children are doomed to live and die.

The Southern Methodists and the Negroes

Annual Cyclopedia, 1865, p. 552; *1866*, p. 490. (1) Extract from the *Pastoral Letter* of the Bishops, August 17, 1865. (2) Extracts from the *Revised Discipline*, 1866. In 1866 the Southern Methodist Church still had seventy-eight thousand negro members, having lost about three hundred thousand in 1865-1866. [1865-1866]

[1] In the change from slaves to freedmen which has providentially befallen the negroes of the Southern States, our obligations to promote the spiritual welfare have not ceased. We are still debtor to them free, as before to them bond. Under the Divine blessing, our Church has done a great work for this people. Their moral training, and generally diffused knowledge of the cardinal truths of Christianity, and their ecclesiastical discipline have justly won the admiration of many. . . It has accomplished more; it has materially contributed to their subordination and inoffensive behavior through the late defenseless and exciting times, when prophecies were confident and opportunities frequent for domestic insurrection. And their safe though sudden passage from a state of bondage to liberty, a transition accompanied by no violence or tumult on their part, is largely due to these causes.

Though often reviled while prosecuting the evangelization of the colored people by those who claim to be their better friends, the Southern Methodists have persevered in it, with blessed results. We might have done more, but we should be thankful to the grace of God that we have not done less. . . Multitudes have been saved, who will be our crown of glory in "that day." And that the good effects of our religious teachings bestowed upon them in bondage will follow the race into their new condition, and help to prepare them for it, is matter of pleasing reflection for us. Our numerous membership among them of over two hundred and forty thousand, exclusive of the congregations and catechumens who receive instruction from our pastors and missionaries, has been much reduced by recent changes and casualties. If it be still further reduced, you need not be surprised. Defections, doubtless, will take place from their ranks to churches offering greater social inducements for

their adhesion. If they elect to leave us, let them go with the assurance that as heretofore we have been, so we will continue to be, their friends, and in every suitable way aid their moral development and religious welfare.

[2] *Question.* What shall be done to promote the interests of the colored people?

Answer 1. Let our colored members be organized as separate pastoral charges wherever they prefer it and their number may justify it.

Ans. 2. Let each pastoral charge of colored members have its own quarterly conferences composed of official members, as provided in the discipline.

Ans. 3. Let colored persons be licensed to preach, and ordain deacons and elders, according to the discipline, when, in the judgment of the conferences having jurisdiction in the case, they are deemed suitable persons for said office and orders in the ministry.

Ans. 4. The bishop may form a district of colored charges and appoint to it a colored presiding elder when, in his judgment, the religious interests of the colored people require it.

Ans. 5. When it is judged advisable by the college of bishops, an annual conference of colored persons may be organized, to be presided over by some one of our bishops.

Ans. 6. When two or more annual conferences shall be formed, let our bishops advise and assist them in organizing a separate conference jurisdiction for themselves, if they do so desire it, and the bishops deem it expedient, in accordance with the doctrines and discipline of our Church, and having the same relation to this general conference as the annual conferences have to each other.

Ans. 7. Let special attention be given to Sunday Schools among the colored people.

5. WORK OF THE NORTHERN CHURCHES AMONG THE NEGROES

Why the Northern Churches Went South

Reports of the Freedmen's Aid Society, M. E. Church. The explanations given by various Northern churches are suggested in the following extracts. [1866, 1868, 1873]

[Bishop's Address, 1866] The emancipation of four millions of slaves has opened at our very door a wide field calling alike for missions and educational work.

It has devolved upon the Church a fearful responsibility. Religion and education alone can make freedom a blessing to them. The school must be planted by the side of the Church; the teacher must go along with the missionary. In no other way can our work reach its highest success among the Freedmen of the South. They claim this culture as immortal beings, at our hands. Without it their true position as members of society can never be attained. It is needful, that they may sustain proper domestic relations among themselves, and that their children may be saved from the blighting effects entailed by the system of slavery. It is indispensable to the highest and most permanent success of our mission work among them. And then, too, a consideration of vital importance to the Christian world, is the fact that from among themselves the ministers are to be raised up who shall conserve, carry forward, and make permanent the work of Christianizing and educating the race. . .

As a suitable channel through which the benefactions of our Church to this object may best reach their design, the Freedmen's Aid Society of the Methodist Episcopal Church has been organized. It is designed to co-operate with our missionary work in the South, and, in fact, a supplement to that work. There are openings to hundreds of teachers at this moment. Hundreds of teachers are ready to go. The means to send them are only wanting. . .

[1868] The South being thrown open to a loyal and liberty-loving ministry, Christians who had remembered those in bonds, who had prayed for, and in all proper ways labored for the overthrow of slavery, could carry or send to the millions degraded by it the means of mental and moral elevation. The Church, called to give the Gospel to every creature, must, if faithful to her trust, enter the open door, and use every efficient means to hasten the evangelization of the South. The school was found to be invaluable as an auxiliary to the missions among the Freedmen. They were everywhere found anxious to have the gospel preached to them by missionaries from the North, and to have Churches planted among them, but they were more anxious to have schools for themselves and their children.

The dawn of their freedom kindled within them a passion to learn to read and write, and a people whose incapacity to learn had been urged as a plea for their servitude, welcomed the teacher as first among their benefactors.

[1873] The Southern white people were unequal to it. They were themselves impoverished by the war to a degree of which most people can not have an adequate conception. . . Of the eight millions of white people in the South, nearly one-half were scarcely better educated than the blacks themselves. . . And still further, and perhaps worst of all, the state of mind among even the best classes of the Southern whites rendered them incapable of doing the required work. . . Men who have all their life-time known and considered the negroes as simply slaves, living machines, possessing as a race only the least and lowest rational and moral capabilities, could hardly be expected to have faith in their future as free men. And no fact is more clearly manifest than that the better class of educated Southerners have very little faith in the possibility of doing much for the colored people in their new condition, and this fact is itself a complete disqualification for elevating them. . . It is the result of a vitiated condition of the whole thinking of the people, arising from a false system which has insinuated its own falsehood into the whole intellectual and moral character of the people,

rendering them morally incapable of doing justice to the people whom they had so long persistently wronged. For this they are not now to be blamed, any further than all forms of moral deprivations, working their appropriate deprivations, render the characters in which they are found not the most excellent. At any rate, they are thus disqualified for the required work.

The American Missionary Association

House Report, no. 121, 41 Cong., 2 Sess., p. 50. Extract from minority report on the Howard investigation. This paper sums up the Southern objections to the work of the Association, which was supported by the Freedmen's Bureau. [1871]

AMONG the many agencies used by the [Freedmen's] bureau to carry out its objects in the Southern States, the American Missionary Society holds a prominent place. This society . . was incorporated by the State of New York "for the purposes of conducting missionary and educational operations, and diffusing a knowledge of the Holy Scriptures in the United States and other countries." . . Its chief office is in Boston, the president being the Rev. Dr. Kirk, of that city, and its treasurer, Mr. Edgar Ketcham, of New York, the counsel of General Howard before the committee of investigation, who resides in the latter-named city. The society is purely religious, and, . . confines itself to the support of the evangelistical churches. It has established agencies throughout the Union, but operates chiefly in the South. In almost every southern city its missionaries may be found in active co-operation with the officers and agents of the bureau and the freedmen's savings banks. It has established schools and religious societies there, nearly all of which are supported by the funds derived from this source. To further extend the area of its influence, it publishes a monthly periodical, called the "American Missionary." This is edited in the interests of Howard and the republican party, and in hostility to all other religious denominations but what it terms the "evangelistical." One of the apparent aims of this periodical is, to create animosities and hatreds in the heart of the poor colored man against white men amongst whom he lives.

"Working upon the Colored Population"

Ku Klux Report, Alabama testimony, p. 180. Testimony of Governor Robert Burns Lindsay, a Unionist, Conservative, born in Scotland. [1868-1871]

He [Rev. A. S. Lakin of Ohio] and others came down there to work upon the colored population in order to get them to abandon their connection with the Methodist church conference South, and unite themselves with the Methodist conference North, assigning a variety of reasons why they should do so. I have been an eye-witness in our town to the feuds and disturbances that have arisen from these efforts. There are two churches there, and there is a very bitter feeling existing between the two sections of the church — the Northern Church and the Southern Church. . .

The Methodist Church [South] had established a system of colored churches in the South, and had licensed colored preachers, although slaves. Missionaries from the northern church . . came to the South, and used their influence and persuasion to divide the southern colored church, to induce the colored people to separate from the southern conference, and to unite with the Methodist Church North. . . There was a very signal instance of that in my own town. There are to-day two churches there, one belonging to the Methodist Church North and the other to the Methodist Church South. And the feud is still existing among them; . . These missionaries, in order to seduce them from their allegiance to the southern church, inspired them with a hate toward the people of the South, or endeavored to do so, alleging . . that the people of the South were their natural enemies. They went so far as to say that whenever the time should arrive that the democratic party would come into power they would put them back into slavery. They told them that they had better unite themselves with the northern church as a measure of safety, not only for their religious, but for their physical freedom. We consider them disturbers of the peace, as persons endeavoring to get up antagonisms between the races which would result in great injury both to the social and the material interests of the country. Whenever such a man came among us we endeavored to frown

him down. I never knew, however, of one being physically maltreated; personally I know of no instance of that kind. In fact, they have had wonderful liberties, and the people bore with them, I think, to a marvelous degree; to such a degree that I have no idea that a single community in the Northern States would for one moment permit a southern man to go there and express such opinions as they expressed in our midst and endeavor to get up a hostility between two classes of people.

Mistreatment of Northern Missionaries

Report of the Freedmen's Aid Society, M. E. Church, 1874. Extracts from letters. [1874]

We are shut out from all white society, until it is a really a treat to have a white child speak to us. My wife has spoken to but two women since we came here, and that on business. . .

Bands of armed and masked men are prowling around nights, whipping some, and murdering others. Politicians, at a public meeting, have threatened our schools, and being isolated from every human protection, we are in great fear and peril. I have devoted the nights to watching, for the protection of life, and to guarding our buildings, against fire. To be for weeks in constant expectation of being murdered or burned out, and without losing faith in God, is something of a strain on the nerves.

Mr. ——, who assisted me last year, and two other white teachers who were teaching a short distance west of us, were allowed twenty-four hours to leave.

A Prophecy

Report of Freedmen's Aid Society, M. E. Church, 1875. An illustration of the feeling of the Northern missionaries. The Southerners claimed that such exhibitions were common. [1875]

O, ye Southern men. . . Do not strike another blow. You are vainly attempting to thwart the onward and majestic movements of God's providence. You are killing God's missionaries, and are binding Christ again to the Cross; these crimes, if continued, will admit of no expiation except that of blood-

shed. It may be false, but there is a vision of fearful possibilities rising before us. . .

Is seen a black and calloused hand;
It seizes quick and flings abroad
A fire-brand.

Lurid skies appear; at morn, at eve the same;
Roofs of city and of village are aflame;
Gleaming brands and gleaming eyes — terrific glare;
Ashes in the sunny South are every-where.

Is seen a hand of blacker shade,
It seizes quick and wields in might
A crimson blade.

Women mad with dread, and with disheveled hair,
Screech murder! the bloody hand does not forbear;
Deeply craped and crimsoned now is all that's fair;
Hush! the mangled corse is lying every-where.

O'er the sunny land descends a lengthened night;
Tempest, cloud, and darkness thickly shroud the light.

. . . . . .

Nights must have an end. The sun at length doth rise,
Other scenes and visions gayly greet mine eyes;
Gleeful children, homes and lands enchanting fair;
Freedmen are enlightened, honored freemen there;
'T is now another race; forgotten are the dead;
Blessed is the sunny South; but fifty years are fled.

Discouragement

Report of the Freedmen's Aid Society, 1875, p. 70. From about 1874 to 1880 the Northern missionaries began to get discouraged and many of them returned to the North. [1875]

BUT, notwithstanding, only about one-half of the Methodist Churches of the land have taken the appointed collection for this cause the past year.

The last reports of the American Missionary Society likewise implore the Churches for funds; but the Churches do not respond. Said the Boston Secretary the other day, "Many of our preachers decline to have the cause presented to our people. Dr. Kirk said to us, just before his death, that the Congregationalist pastors blocked the progress of this Southern missionary movement, and offered all manner of frivolous excuses when asked to have the cause presented to their people."

The scholars who have graduated from the schools under the management of that Society, and who are fully prepared to teach, and who have desired to consecrate themselves to this service, have been waiting to be set to work, but "hope deferred," says the report, "has driven many from their high purpose into secular employments, or worse, into a shiftless and discouraged idleness."

6. CONDITIONS IN THE NEGRO CHURCHES

A Negro Preacher Whipped

Transactions of Alabama Historical Society, vol. iv. Letter of William F. Samford of Alabama, 1866. [1866]

A NEGRO preacher . . went to Auburn [Alabama] from North Carolina — went in the interests of a Northern African Methodist Church organization. . . Four or five men in disguise went to his room one night last week, took him out to the woods, and gave him a severe whipping. . . The town council held a meeting to investigate the "outrage" with only this result: No trace could be found of the perpetrators of the deed. . . It is certain that the resident colored preachers of the Methodist Church South were greatly disgruntled by the appearance of Brother Alexander in the midst of their unsuspecting flock, pouncing like a hawk upon their chickens . . and taking off particularly the young pullets, or . . appropriating the young ewe lambs. They denounced him in public and private, and seemed determined to "hamsnoggle" him. It was [also] a complaint that he held meetings late o' nights, invited the rural laborers and created an excitement, which took them away from their duties, interfering with the prosperity of the neighboring crops, already bad enough. . . When he left here a delegation of his gentle disciples escorted the martyr to the railroad — not a man among them. . . The colored people do not espouse his cause. . . One of the first citizens of the town council informed me that the investigation left the impression on his mind that the whipping of the Rev. Mr. Alexander was done by negroes. I doubt it, but can find no evidence to settle the question.

Jealousy in Negro Churches

Wallace, *Carpet Bag Rule in Florida*, [1886], p. 226. [1872]

THIS [Florida, 1872] administration inaugurated a most alarming proposition among the freedmen, which came near

precipitating them into a war among themselves with reference to the representation in the legislature from the colored Methodist and Baptist Churches. The freedmen prior to the emancipation knew nothing of any other churches than the Missionary Baptist, Primitive or foot-washing Baptist, and the Methodist Episcopal; but at the close of the war the A. M. E. Church sent ministers from the North, the most of whom were men of intelligence, and these men enlisted some of the most intelligent of the freedmen under their banner as ministers. These ministers, discerning the scarcity of leaders among the freedmen, went into politics. . . The Freedmen who belonged to the Baptist Churches were taught that the members of the Methodist churches were cheating them out of a just representation and of their share of the offices; and that the Ring would see to it that the Baptist members should be elected to the Legislature. This teaching created church jealousy and great prejudice, which, in some counties, caused frequent rows, and but for the foresight and better judgment of the more intelligent ones in the churches, a general outbreak and bloodshed would have been the result among the colored churches.

A Persecuted Negro Church

C. H. Phillips, *Colored Methodist Episcopal Church*, p. 71. The C. M. E. Church was organized (1866-70) by the Southern Methodists for the seventy-eight thousand negro members who adhered to the white churches after 1866. [1866-1874]

No easy field lay before these consecrated men. The Church was in its infancy; it was maliciously misrepresented, wantonly maligned, and frequently calumniated by stronger religious denominations. The relation of our Church to the Methodist Episcopal Church, South, was the prolific cause of most of the misrepresentations that were heaped upon us. The Church was called a "Rebel Church," "Democratic Church," and "the Old Slavery Church." These were powerful weapons used against us, for the reason that our people were naturally credulous, especially concerning anything that might be said about those who had kept their forefathers in slavery for more than two centuries. Some were odiously inclined to the Church,

South; others refused social relations with those who in any way affiliated with that Church. Thus the credulity of the ignorant was played upon with ease, and they joined in the rabble cry: "Demolish the new Church!" — the "Democratic Church." . . Bishop Miles . . in January, 1873, says: . .

"We still have the political influence of the Methodist Episcopal Church and the African Methodist Episcopal Church to contend with. I wonder if they will never get tired of telling falsehoods on our Church. Through it all we have a right to thank the great Head of the Church that, notwithstanding all they say and do, we are yet on gaining ground."

Speaking [1873] of the African Methodist Episcopal brethren, he [Bishop Lane] said:

"I was pained to meet with some opposition from them. The minds of the people were prejudiced against us by reason of certain rumors put in circulation by some of our opposers. It would not be amiss to say that they charged us with being a "Democratic" Church, which every one who is acquainted with our organization and its operations knows is not true. They also charged us with being under the control of the Methodist Episcopal Church, South, which everybody knows is not true. The Church, South, controls its organization, and we control ours. At the same time, we are pleased to say (which is nothing but what truth and justice require) that the Methodist Episcopal Church, South, is very kind to us, and always greets us in Christian love and fellowship."

The Negro Episcopalians

Leigh, *Ten Years on a Georgia Plantation*, pp. 322, 328. The extracts are from the letters of Rev. J. W. Leigh, an English clergyman who worked among the blacks. [1873-1876]

[1873] I soon found that I had a very good class, many of whom seemed in earnest about the matter and attended regularly, and listened attentively to what I had to say. Owing to the good instruction that they had had for some years, I found a fair number of them knew the Catechism well, and seemed to understand the explanation of it also; answering,

indeed, with more intelligence, I must confess, than many agricultural young people who have been prepared by me in England. . .

The work has begun well, and there is every reason to look for good results. Hitherto the Anglican Episcopal Church has made but little progress amongst the colored people, and they have been left for the most part to the mercies of illiterate and often worthless Baptist preachers of their own colour. The Roman Catholic Church is beginning to make strenuous efforts for the conversion of the negroes, and the Anglican Church must not be behind in her efforts. If she succeeds, and I believe she will, notwithstanding the opposition that is raised against her by interested black Baptists, she will do more to civilize the negroes and to make good Christians and worthy citizens of them, than all the Fifteen Amendments, Civil Rights Bills, or Freedmen's Bureaus that have been passed or established for his supposed benefit. . .

[1876] If only churchmen in the North would co-operate with those in the South, and instead of quarrelling about civil rights would recognize the fact that there must always exist a line between the two races, and that a social intermixture can never take place and is not advisable, a great work might be done amongst these poor people. A vast mission field is ready in which to work, into which the plow has scarcely yet been put; labourers could be found to do the work if funds would be forthcoming. Churchmen in the South have but little money to spare, and what they have they require to rebuild their own churches, and to pay the salaries of their own ministers, which are low enough as it is. Churchmen in the North express a great affection for the African whom they have freed; they would do well to show their affection for him by taking some interest in his spiritual welfare. Up to this time he has been the tool of political agitators and the cat's paw of a party seeking power. He is very susceptible to good or bad influences; the latter in most cases having been brought to bear on him, it were about time that the former should be tried.

XI

SOCIAL AND INDUSTRIAL CONDITIONS DURING RECONSTRUCTION

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INTRODUCTION

In their effect upon the political situation the social and economic conditions during Reconstruction were of the utmost importance. Among the whites the abnormal situation resulted in political restlessness that was mistaken by some in the North for fresh rebellion. Disfranchisement, loss of property, dread of the purposes of the negroes and their leaders, the spectre of social equality, the speeches of agitators, the demand for penitence in regard to the war — these resulted in a disturbed popular temper, and in a bitter dislike of Radicals, northern and southern, who in society and business were mercilessly ostracized. This ostracism caused the better class of the carpetbaggers and scalawags to fall away from the Radicals while the remaining ones associated more closely with the blacks.

Among the blacks there was a tendency toward division into classes — up-country and low-country negroes; mulattoes; the former servant class; artisans, teachers, and preachers. Pressure from outside tended to prevent this separation and to array the race as a whole against the whites. Criminality increased as the morality of the mass declined. Negro women began by refusing to work and ended by working more than the men. The death rate, especially of children, increased and disease became common.

One of the most potent causes of irritation between the races was the constant discussion, mainly for political

purposes, of the question of social rights for the negroes. Mixed marriages took place in several of the states which had laws favoring the mixing of the races, and these marriages invariably created ill feeling between the races. Politically the "equal rights" issue assisted in uniting the whites into one party. Socially Reconstruction unified the white race by breaking down barriers of wealth and class, and by alienating the races made the blacks dependent upon themselves.

In the industrial field, the white districts sooner recovered from the prostration following the war,[1] and, owing to the removal of slave labor competition, the building of railroads, the use of fertilizers, the development of mines, manufactures, and varied industries, and the rise of cities, these districts gradually took the place of the Black Belt as the productive part of the South. The white farmer could now raise Black Belt crops at less cost than the planter, notwithstanding the poverty of the soil in the white districts.

All plans for reorganizing the industrial system of the Black Belt failed wholly or in part, and the fertile lands were left mainly to negro tenants, who, if undirected, became indolent, unreliable, and unskilful. Domestic animals could not be kept because of thieves, and varied crops were no longer produced. Bad farming was the rule. The share and credit systems were gradually developed. Owing to the negro propensity for petty thievery the industrious members of the race found it difficult to accumulate savings. Many of the large plantations fell into the hands of absentee landlords. Carpetbag taxation was ruinous and enormous quantities of land were sold for taxes. But the large plantations did not break up into small farms.

1. For conditions after the war see also Chapter I.

At the close of Reconstruction, though all were hard pressed, the whites and blacks of the white districts were becoming independent; the planters had usually been ruined; the negro tenants in the Black Belt were living from hand to mouth; the whites were still on poor lands, and the thriftless blacks on the fertile lands.

The industrial effects of abolition, now to be seen in spite of the ruin of Reconstruction, had been to emancipate the mass of the whites and leave the mass of the blacks to their own efforts without direction. However, many exceptional blacks, especially in and near the towns, had accumulated some property.

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1. THE WHITES DURING RECONSTRUCTION [1]

A State of Mind

Mississippi Election of 1875, p. 1077. Statement of Reuben Davis, formerly member of U. S. Congress. [1875]

YOU took $16,000 of my cotton, and left me a beggar; I call that an act of oppression. You denied me the right to vote; I call that an act of oppression. You denied me the right to hold office; I call that an act of oppression. You refused to permit our state to be represented in Congress; . . I call that an act of oppression. . . You sent men here to organize these colored people for political purposes, and for your political good; and the men who came were the men that your people in the North would scarcely recognize as gentlemen at home, and they robbed us; I call that oppression. I call it oppression not to throw a little flower upon the grave of a southern soldier, which we have never failed to do upon the graves of northern soldiers in the South since the war ended.

I call it a manifestation of bitterness toward us in the general legislation which has been imposed upon the South, and which was intended for the South alone, although . . it was general on its face; but I have seen as many as four or five hundred men of my country taken before your Federal court, and when they got there the district attorney says, "Pay me the costs and I will dismiss the suit." We have been robbed of our substance that way; I call that oppression.

The Mountain Whites

Ku Klux Report, Alabama testimony, p. 207. Statement of Governor R. B. Lindsay, of Alabama. [1871]

THE people are better off in our mountain regions than they ever were at any time before. Their labor has been more remunerative; they perform their own work in the fields; they do not employ labor. Cotton selling at from $100 to $150

1. See also Chapter I,

a bale remunerates the man who does his own labor to the amount of three times. While it is advancing the comforts of the white laborer who cultivates his own lands, it is, to a certain extent, impoverishing the man who employs labor, simply because the expense of provisions, of implements, and of mules has all increased in a greater ratio than the increased price of cotton. For example, before the war you could buy bacon at 10 cents a pound; now you have to pay 22 cents; and the white man who labors in our section of the country raises his own meat. In other words, his expenses are increased, while the increase of the price of his products of labor are trebled.

Hence the people are more industrious, because their industry is better compensated. Being more industrious, there is more sobriety, more pride of character, more disposition to be kindly toward each other. Instead of those old-fashioned southwestern feuds and personal rencounters that took place before the war, you rarely ever hear of them now.

Fear of Negro Insurrection

House Misc. Doc., 41 Cong., 2 Sess., p. 482. Statement of a Democratic lawyer, state senator, Louisiana. [1869]

I MYSELF was on horseback for four nights in scouring that part of the country. After the death of this man Meadows [negro], the negroes assembled in large bodies and concocted a plan for the purpose of having an insurrection. This information I received from a negro man, who reported the facts, whose name I do not wish to state, because he came to me in confidence. The whole plan was concocted and the time was fixed, as he stated. The negroes were to meet in the town of Homer at a public meeting. They were all to come with arms and guns, and at a preconcerted signal, they were to rush into the stores and take possession of the guns and powder, and then commence an indiscriminate slaughter. This was the report of that colored man to the white people. So great was the fear of the white people that they kept a constant watch and look-out for four or five days. . .

It resulted from the death of this man Meadows. As was

reported, this man Meadows had held a meeting in the swamp. He had a great influence among the negroes. He was a controlling and leading man in the parish among the negroes. For some reason or other he had become offended at the white people, and had told the colored people at this meeting that now was the time to kill the white men and to take the white women for their wives. . . There was, of course, considerable apprehension among the white people, especially for the safety of the women and children.

Alarm among the Whites

Mississippi Election of 1875, p. 1701. Statement of General Garnett Andrews. [1875]

I WILL state that from this period up to the election and a short time after, I have never suffered such an amount of anguish and alarm in all my life. I have served through the whole war as a soldier in the army of Northern Virginia, and saw all of it; but I never did experience, at any period, including that time, the fear and alarm and sense of danger which I felt at that time. And this was the universal feeling among the population, among the white people. I think that both sides were alarmed and felt uneasy. It showed itself upon the countenance of the people; it made many of them sick. Men looked haggard and pale, after undergoing this sort of thing for six weeks or a month, and I have felt that when I laid down that neither myself, nor my wife and children were in safety. I expected, and honestly anticipated, and thought it highly probable, that I might be assassinated and my house set on fire at any time. . .

The colored race largely outnumbered the white population. In town they are about equal, nearly equal; in the country, though, in some places, they are twelve to one; in other places one hundred to one. In other places the majority is much less; nearly as many white people as colored people. But take the county over, the colored population is much larger than the white population; though the white population is increasing now, and has been for a year or two past, especially

in the hills. Yazoo City, however, is located in the swamp and surrounded by large plantations tenanted almost exclusively by colored people. . . .

I believe that the whites were more alarmed than the colored people. I know I was badly frightened for the safety of myself and family. I felt genuine, honest alarm, and if I thought I had to go through again with that thing, if it was to be habitual that sort of trouble, I would leave the State. I had made up my mind once or twice to do it, to go away, and actually went to Virginia once to stay on account of the horrible condition of things in that country; and I might have gone away, and a great many people would have left the county, white people, this year if the same men had continued to rule there as they have ruled heretofore. It was insufferable.

"Thad. Stevens is Dead"

Planters' Banner, (Louisiana) August 15, 1868, in *House Misc. Doc. no. 154, 41 Cong., 2 Sess.*, p. 544. Illustrates the feeling of the whites at the time. [1868]

THAD. STEVENS IS DEAD. — The prayers of the righteous have at last removed the congressional curse! May old Brownlow, Butler, and all such political monsters, soon follow the example of their illustrious predecessor! May his new iron-works wean him from earth, and the fires of his new furnaces never go out! The devil will get on a big "bender" now. With Thad. Stevens in his cabinet and Butler in Washington, he can manage things in both kingdoms to his liking. Lucky Devil!

Social Ostracism of Republicans

Mississippi Election of 1875, p. 227. Statement of a Mississippi "scalawag." [1875]

THEY don't associate with my family, or the families of republicans. We have to make what little associations we have with ourselves. We are perfectly ostracised in every particular. A man who is a republican in our county must make up his mind to all sorts of ostracism. After election a man owed

me something, and he agreed to pay me a certain amount in corn each year; at the beginning of each month. The roads were very bad, and he goes to Robinson's and said, "I want you to let me have ten bushels of toll-corn on the first day of every month, and I will pay the corn back as soon as I can." He says "Yes; I would be glad to make that arrangement." And I sent for the first ten bushels of corn, and my son went there, and when he found out it was for me, he sent word: "I have taken an oath not to aid any leading radical for love or money, and I can not let you have any more corn for his benefit." . . They would not patronize me after that as a physician. Before this I had a tolerable respectable practice.

Social Conditions in 1875

Nordhoff, *Cotton States*, pp. 10, 55, 76, 96, 111. [1875]

THE Southern white population differs from ours in one or two important respects. . . There is a more marked distinction between the wealthy and the poor man than is commonly found in the North. The numerous class of poor white farmers are a kind of people unknown among us. Settled upon a thin and unfertile soil; long and constantly neglected before the war; living still in a backwoods country, and in true backwoods style, without schools, with few churches, and given to rude sports and a rude agriculture, they are a peculiar people. They have more good qualities than their wealthier neighbors, the planters, always allow them; but they are ignorant, easily prejudiced, and they have, since the war, lived in a dread of having social equality with the negro imposed upon them. This fear has bred hatred of the blacks, which has often, in former years, found expression in brutal acts, to which, I believe, in the majority of cases, they were instigated by bad men of a class above them. . .

What the Southern Republican too often requires is that the Southern Democrat should humiliate himself, and make penitent confession that slavery was a sin, that secession was wrong, and that the war was an inexcusable crime. . .

The Southern Republican seems to me unfair and unreason-

able in another way. They complain constantly that the Southern whites still admire and are faithful to their own leaders; and that they like to talk about the bravery of the South during the war, and about the great qualities of their leading men. There seems to me something childish, and even cowardly, in this complaint. The Southern man who fought and believed in it, would be a despicable being if he should now turn around and blacken the characters of his generals and political leaders, or if he should not think with pride of the feats of arms and of endurance of his side; or if, having been plundered by the Republicans since the war, he should fling up his hat for that party. . .

In the North we have heard so much about murders that I was very glad to get hold here of some parish statistics on this subject. The State government, which has almost entirely neglected to punish murderers — being too busily engaged in stealing — has, of course, no such official returns of crimes as it ought to possess. I have been able to obtain returns, chiefly made by the county clerks and coroners, from only 13 parishes. . . From 1868 to 1875 there have been in these 13 parishes 313 murders. Of these 93 were of whites by whites, 143 were of colored by colored, 28 were of whites by colored, 32 colored by whites, 3 colored by officers of justice, 5 colored by persons unknown, 7 whites by persons unknown, 5 whites by mobs, and 5 colored by mobs.

The State has 57 parishes. Most of the 13 of which I have given returns have a population nearly equally divided between white and black, and I suspect the figures give more than an average number of murders of whites by whites, and less than the average number of murders of blacks by blacks. . .

Life is not held sacred, as it is in the North. Everybody goes armed, and every trifling dispute is ended with the pistol. Nearly all the disorder and crime is caused by the lower order of whites and by negroes; for these latter have, it seems, generally taken up the habit of carrying arms, and in their quarrels among themselves use their pistol or knife freely. The

respectable people of the State do not discourage the practice of carrying arms as they should; they are astonishingly tolerant of acts which would arouse a Northern community to the utmost. . .

The Republican party of North Carolina[1] is composed of the great body of the negroes, and of a large mass of the poor whites in the western, or mountain, districts. But these small white farmers dislike the negro, whom they know little about, and are easily alarmed at the thought of social equality with him. The Democratic politicians very naturally worked upon their fears on this point, and thus found their best argument put into their hands by those Republican leaders in the North who insisted upon this measure [Civil Rights Bill]. . .

It is but just to add that, if the dread of "social equality" were likely to die out, this would be skillfully prevented by some leading Republicans, chief of whom is the Northern Methodist Bishop Haven, who has on several occasions openly declared himself in favor of "social equality," and who appears to me to have quite a genius for keeping alive a subject which naturally stirs up rancorous feelings, and which is best left to settle itself.

1. Conditions were similar in Georgia, Virginia, Tennessee, Arkansas and Alabama.

2. CONDITIONS AMONG THE NEGROES

Low Country and Up Country Negroes

Ku Klux Report, Georgia testimony, p. 306. Statement of Gen. John B. Gordon. [1871]

THOSE negroes upon the coast are very different from the negroes in Middle and Upper Georgia; they are almost an entirely different race of people. They are excessively ignorant. The intelligence of the negro in the middle and upper counties of Georgia is very much the same as the intelligence of the negro here or anywhere over the country. But in the southern portion of the State, where there is a large negro belt . . the negroes have absolutely a language of their own. If a negro from Washington were to talk with a negro from Atlanta, or the upper portion of Georgia, their language would be the same; they would use about the same words to express the same ideas. But it is not so on the coast. If a negro were transported from this city [Washington] to the coast of Georgia, he would not understand . . a great deal that many of the negroes of that coast would say. Their old masters, who grew up with them, do understand their language. . . It is different from the language of the negroes in any other portion of our State, or any other portion of the South, except along the Atlantic belt. . .

They have also a peculiar religion. I have attended what they call their religious meetings; and they have what they call "shouting." They say, "We are going to have a shouting tonight." If you staid outside when that shouting was going on, it would remind you very much of the accounts that we read of the worship of the howling dervishes. They sing, shout, take hold of hands, and go around dancing and jumping until one faints; then he is considered as "having religion." That is the style of worship not only in that portion of Georgia, but it is now extending up the State. I had a large plantation in Dougherty County, Georgia. [On my plantation in

Dougherty County] three years ago there was no such religion as this known. The negroes belonged to various churches; mainly the Baptist and Methodist. Those were the most popular churches among the negroes of Georgia. But now this particular religion which they call "shouting," has been imported up there, and ingrafted upon their style of worship. It is extending higher up in the State, and is gradually getting possession of all the negroes there. To carry on these exercises, they will sit up all night long, and sometimes many nights in succession; so that it is a source of very great annoyance to the planter who depends on their labor for his crops. . . It is a general thing on the coast, and is being introduced into the counties in Southwest Georgia, the cotton-growing counties of the State. . .

The races [up state] are more equally divided. On the coast, where the planter staid in the winter time only, the negroes scarcely ever saw a white person; but in the upper part of the State, where I was raised, the negro children and the white children have been in the habit of playing together. My companions, when I was being raised, were the negro boys that my father owned. We played marbles, rode oxen, went fishing, and broke colts together; a part of my fun was to play with those colored boys. The negro girls — those who were raised about the house — were raised very much as the white family was raised. They were raised in the family, and, of course, the intelligence of the family was extended, in some measure, to the negroes. The plantations there were nothing like so large as those on the coast. The white people lived on their plantations all the year round. The negroes mingled with them, and grew up into a very different class of people from those on the coast.

Feeling between Whites and Blacks

Ku Klux Report, (1) Georgia testimony, p. 833. Statement of C. W. Howard, a Georgia editor. Georgia was then getting under the control of the whites; (2) South Carolina testimony, p. 1430. [1871]

[1] THE negroes show their inherent vices, . . indolence,

theft, and sensuality. Before the war closed, when it was thought that the negroes would be emancipated, all of us apprehended a repetition of the scenes of San Domingo; but nothing of the kind has occurred. The negroes have been quiet and orderly, under very strong temptations to be otherwise; temptations not originating with themselves, but with a class of very bad men who came among them, and who endeavored to foster ill blood between the races for their own aggrandizement. But those men had little brains and less principle, and the negroes soon saw through them. If they had been like members of the *internationale,* or of the *commune* — earnest fanatics — I think they would have done much harm; but I think their power is [1871] very much at an end, and the result has been very different from what we feared. The negroes have been orderly and quiet, for the main part, to a wonderful degree. On the other hand, the conduct of the whites has been very different from what experience and analogy might have induced us to expect. Those people suddenly having been liberated, given the power to vote, to sit upon juries, and to hold office, it was very natural to suppose that the whites, as a mass, would have a feeling of the strongest animosity toward them. But it has not been so; and, as a general rule, (of course there are exceptional cases,) the two races, in their intercourse with each other, have acted in a manner which no former experience would have led us to anticipate. I think that the negroes generally are going to their old masters, and their old masters are treating them with kindness and even-handed justice. . .

[2] There were negro women there, I know two; one of them has been treated most kindly throughout her life by an old aunt of mine; she raised the cry, "Now is the time to burn," and a night or two after that the fire was set. She cried out, "Now is the time to burn." A number did that. I recollect one girl there who had been treated just as a white girl — a bright mulatto, and still living with her old owner to this day. No person suspected such a feeling in her. And she

said what *she would delight in would be to be in hell, to have a churn-paddle, and churn the whites to all eternity.*

Petty Crimes among the Blacks

Ku Klux Report, Alabama testimony, p. 230. Statement of Gen. James H. Clanton. [1871]

I THINK the average in our jail [in Montgomery County] is about forty blacks to three or five whites. Our law firm does almost all the criminal practice there; there are three of us in the firm. I am satisfied that in the State of Alabama there have been two white men shot by negroes where there has been one negro shot by a white man. . . I could safely say that there are two outrages by the blacks to one by the whites. We cannot raise a turkey, chicken, or a hog. Planters of Montgomery, who before the war used to raise bacon at 5 cents a pound, have actually had to kill their shoats, and in some instances, every sow they had, in consequence of the stealing by the negroes; and we now have to pay 25 cents for bacon. We dare not turn stock out at all. One man, within a mile of Montgomery, had either three out of five or five out of seven cows killed.

The Quadroons of Louisiana

Shreveport *Southwestern*, April 15, 1868, in *House Misc. Doc. no. 154. 41 Cong., 2 Sess.*, p. 127. The negro radical leaders throughout Reconstruction were mostly of mixed blood; the quadroons of Louisiana were a distinct class. [1868]

THE radicals, after using every effort to prevail on the quadroons of the State to vote for the constitution without much success, have turned against them, and are now denouncing them for everything that is bad. A radical . . thus writes about them:

"It is not extraordinary that the only danger to the ratification of this Louisiana constitution, which guarantees the fullest and most perfect equality, civil and political, and before the law, should come from colored men. Yet such is the fact. A pernicious and pestiferous class in this community, a fungus production of slavery, called quadroon society, puffed up with

the conceit of their heretofore anomalous condition, and fancying it really a condescension on their part to stoop to the colored race and own themselves a part of it, demanded as the price of their condescension all the offices, all the honors, and all the emoluments.

"This miserable quadroon faction, the emasculated offspring of lustful fathers and concubine mothers, have a record behind them sufficiently black to sink a nobler people beneath its accumulated infamy. They, as a class, were the most bitter and rampant secessionists in the South, and were the most resolute and implacable foes to the freedom of their own people, who were of their own flesh and blood. And they, as a class, to-day more bitterly deplore the liberation of the slaves than any other class. And was it in their power, no class would make greater sacrifice for or more exultantly rejoice over the restoration of slavery than themselves."

Blacks Do Not Like Mulattoes

Ku Klux Report, South Carolina testimony, p. 1433. [1871]

JIM WALLER, the county commissioner, a leading negro, says he will never vote for a mulatto again. . . A very excellent man, . . Loomis, a northern clergyman, came to Chester. He was a preacher and teacher from some society. He built them a church at his own expense, or at the expense of the society. He appeared to be an educated man. . . He devoted his time to teaching and preaching to the negroes, and built them a church; but they did not like him on the ground that he paid too much attention to the mulattoes; that in the schools he would make mulattoes hear the negroes' lessons, favoring the mulattoes. They would not go to hear him preach, or went very little, because he was white; but they would go to hear a negro, and I know there was a strong prejudice against him because he favored the mulattoes.

The Rights of Black Women

(1) *House Misc. Doc. no. 154, 41 Cong., 2 Sess.*, p. 288. In the early period of Reconstruction there was a tendency toward the emancipation of black women from the heavier work. It was not so at the close of the period. (2) *Ku Klux Report*, Alabama testimony, p. 445. Statement of P. M. Dox, a New Yorker. [1869]

[1] It was reported that he was to meet the colored people at the house of the agent of the Freedmen's Bureau at midnight, and to make a speech to them. He did come, as we heard, and about two o'clock in the morning several hundred of those persons collected to hear him. He is reported to have advised them that when negro women were acting in the capacity of servants, their husbands should not allow them to do so any longer; that the white women must work for themselves; that the black women were not to act as washers, ironers, cooks; that their husbands ought to support them in the same style as white people of the same class support their wives, and a whole lot of stuff of that kind. I do not believe that Mr. Brewster made use of any such language. Still it had its effect, and the result was that a great many of those women actually quit their employment.

[2] In 1866 or 1867, I could not get my colored servant woman to milk my cow when it rained; she would not do it; she thought that thing was "played out," and that I must go and milk the cow myself. And, when there would be a guest at my house I could not get my servant to black his boots as the custom had been; I had to black them myself. Most of the menial service I performed at that time myself, because I had to do so.

"Proof of 'Publicanism"

Wallace, *Carpet Bag Rule in Florida*, p. 300. [1874]

At Chattahoochee, in Gadsden county, Stearns and Martin had a cartload of guns brought to a public meeting to be used against Purman and his followers. They had fed the freedmen on so much bad whisky that they came near getting themselves killed. The freedmen became uncontrollable and commenced shooting indiscriminately in every direction, routing

Stearns, Martin and Purman,[1] and running them away from the meeting. Purman returned later in the evening and called a lot of colored women together, and after giving each of them some money, he said to them that he was a good "Publican," and wanted supper; and to further assure them that he was a good "Publican," told them that he did not want to sleep with any white person, but wanted to sleep with the blackest person in the neighborhood. John D. Harris, a Methodist preacher, was along as one of Purman's canvassers, and it looked as though he had been "dipped" three or four times, and so Purman selected him to sleep with. This action on the part of Purman had its desired effect, as most of the freedmen spoke out and declared him to be a good "Publican," and he had no more trouble in that part of the country.

Kissing Negro Babies for Votes

Wallace, *Carpet Bag Rule in Florida*, p. 63. [1868]

BILLINGS, now the candidate of his faction for Governor, began to stump the state. . . One freedman while on his dying bed, and conscious of his approaching death, gave the only five dollars he had to be sent to Saunders and Richards at Washington. . . Billings would hold his meetings on large plantations in the night time, so as to get all the old men and women out, as they generally controlled the younger class. In order to deeply impress the people with the justness of his cause and of his unblemished Republicanism, he would have all the little colored children brought out to the meetings, and would ask the name of each, and then take them up and kiss them. A little soap and water would not have done some of them any harm. When he would kiss the children you could hear on all sides from the freedmen words like these: "I will vote ebery day for that man." "I will die for that man." "That man is a good 'publican." Billings hearing these words would shout to them, "Jesus Christ was a Republican." So attached were these people to Billings that they introduced a sign among themselves which was the given name of Billings. When one

1. Carpetbag candidates.

wanted to know how the other stood to Billings, he would say "Liberty" and if the other was a Billings man he would answer "Liberty."

Social Ostracism of Negro Conservatives

House Report, no. 262, 43 Cong., 2 Sess., p. 295. Statements of Negro conservatives in Alabama. [1874]

WE wanted to give him time to speak and relate why he thought it was right to have a colored society and a white society; that a negro man could not keep his wife if he was a democrat; and a young colored woman of that society had to leave her husband if he was a democratic negro. The president of the society, his name was Treadwell, was an ex-member of the legislature; he lived in Opelika. . .

They had to make a pledge and pledge this: that any woman would leave her husband if he was a democrat, or a young woman would not marry a man if he was a democrat. . .

The preacher of the church . . belonged to the M. E. Church. He stopped the secretary from his office salary because he was a democrat, and stopped another man from being a deacon of the church because he was a democrat. He put it to a vote and silenced him from his membership.

After Ten Years of Freedom

National Republican, of Atlanta, Georgia, quoted in Nordhoff, *Cotton States*, p. 105. [1875]

WHAT is the record of ten years of freedom? In the matter of temperance has there been progress? Nay. In this respect the freedmen are a thousand per cent. worse off than they were in slavery. Rarely do we find a strictly temperate man. Very nearly all drink, in town and out, young men and old, and the women too. . . The freedmen of Georgia spend in a half year for liquor as much as they have paid for schools since emancipation. Is this a matter of which we should be proud? To whom is the infliction of this wrong due? What has been done for schools? A little money has been raised, but not a

hundredth, if a thousandth, part of what has been spent for tobacco, and shows, and shot-guns, and fines. One show here last Winter is said to have carried away $3,000 of the colored people's money — more than their voluntary contributions to schools in this city since 1865. In ten years not more than one in nine or ten has learned to read in this State; or out of 550,000 not more than 60,000 or 70,000; and these very largely through the aid of Northern missions. This year taxes will be paid on an aggregate of $7,000,000 of property, or less than $13 per head. This is the showing of a decade of freedom and fair opportunity. For it, in some measure, the whites may be responsible, but the responsibility lies chiefly with the people themselves. They have probably earned from $35,000,000 to $45,000,000 a year, and out of it should have saved a large percentage. But there has been improvidence and waste on every hand. Not quite, but very nearly, as poor and ignorant are the freedmen today as when emancipated; and their ignorance and their poverty quite as much as the "prejudice and hate" of the whites, serve to keep them where they are and what they are — hewers of wood and drawers of water.

3. THE "EQUAL RIGHTS" ISSUE

Equal Rights in Florida

Wallace, *Carpet Bag Rule in Florida*, p. 86. [1868]

FAILING to either intimidate or subsidize the Governor for their purposes of plunder, as a last alternative, the Osborn ring, under the lead of Speaker Stearns in the Assembly, and United States Marshal Wentworth in the Senate, determined to inaugurate a "war of races," and thus compel martial law, so that the Federal troops under the control of the marshal should have full sway. It was planned in secret counsel that before adjourning the Legislature bills should be passed to compel hotel keepers and railroad companies to receive and provide for negroes on the same terms as the whites, and thus place the Governor between two fires. If he approved the bills the whites would be provoked to violence, and if he vetoed them the freedmen would all be arrayed against him, and his impeachment would be made certain. Accordingly, two bills were framed and passed in the Assembly, making it a penal offense to exclude persons from equal privileges in hotels or on railroad cars on account of color. To avoid difficulty, the Governor called the Republican Senators in council at the executive office and explained the impossibility of maintaining civil administration with such aggravating legislation, and finally he declared he would not sanction it. The only response was the immediate passage of the bill and its immediate veto by the Governor. It was near the last day of the session; and after the final adjournment the negro population had assembled in the rotunda of the Capitol and unitedly denounced Governor Reed as a traitor, and then the plan of impeachment was perfected, to be carried out at the next session.

Equal Rights in South Carolina

Statutes at Large of South Carolina, vol. xiv, p. 386. This was the third of a series of equal rights statutes. A fourth act was passed in 1875 expanding section 1 of this act. [March, 1870]

WHEREAS, in this State the government is a democracy, the

people ruling, and the government is also a republican one, in which all things pertaining to the government are in common among all the people; and whereas, it follows that no person is entitled to special privileges, or to be preferred before any other person in public matters, but all persons are equal before the law; and whereas, these propositions lie at the very foundation of our policy, and the American people have embodied the same, in the most emphatic manner possible, in their organic and statute laws, and the same do by their sovereign will and pleasure sustain; and whereas, notwithstanding all these great and glorious facts, there are found some brutal, ill-disposed and lawless persons in the State who persist in denying and trampling upon the sacred rights of certain of the people; therefore,

Section 1. *Be it enacted,* . . It shall not be lawful for any common carrier, or any party or parties engaged in any business, calling or pursuit, for the carrying on of which a license or charter is required by any law, municipal, State or Federal, or by any public rule or regulations, to discriminate between persons on account of race, color or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit.

Section 2. Whoever, being a common carrier, under any public license, charter, rule, or regulations, shall, by himself or another, wilfully assign any special quarters or accommodations whatever to any passenger or person whom such common carrier may have undertaken to carry, or who shall, under any pretense, deny or refuse to any person lawfully applying for the same, accommodation equal in every respect to that furnished by him to any other person, for like compensation or reward, in a like case, having no regard to the persons *per se* who may be applicants therefor, shall, on conviction, be punished by a fine of one thousand dollars, and also by confinement at hard labor in the penitentiary for five years; and if such fine be not paid, the convict shall be confined in the penitentiary at hard labor, as aforesaid, for not less than six years.

Section 3. Whoever, conducting or managing any theater, or other place of amusement or recreation, by whatever name the same may be recognized, or whatever called or known, if such theater or place be licensed or chartered, or be under any public rule or regulation whatever, shall wilfully make any discrimination against any person applying for accommodation in, or admission to, any such theater or place, on account of the race, color, or previous condition of the applicant, or shall refuse or deny to any person lawfully applying therefor, accommodation equal in every respect to that furnished at such place for a like reward to any other person, on account of race, color or previous condition of the applicant therefor, shall, on conviction, be punished by a fine of one thousand dollars, and also imprisonment at hard labor in the penitentiary for three years.

Section 4. Whoever, not being the principal offender under sections 2 and 3 of this act, shall aid or abet in or about the commission of any of the offenses therein mentioned, shall, on conviction, be punished by imprisonment at hard labor in the penitentiary for three years, and no such convict shall ever vote or hold any office under any law of this State. . .

Section 7. In every trial for violating any provisions of this act, when it shall be charged that any person has been refused or denied admission to, or due accommodation in, any of the places in this act mentioned, on account of the race, color, or previous condition of the applicant, and such applicant is a colored or black person, the burden shall be on the defendant party, or parties, so having refused or denied such admission or accommodation, to show that the same was not done in violation of this act. . .

Section 9. The several solicitors of this State are hereby specially charged to take care that this act be promptly and rigorously enforced; and every such solicitor who shall fail in any respect in the performance of his duty under the requirement in this section contained, shall be deemed to have committed a misfeasance in office, and, on conviction, shall forfeit his office, and be incapable of holding office for five years, and

shall also pay a fine of five hundred dollars; and, in every case in which any such solicitor shall fail in his duty, as herein prescribed, the Attorney-General shall make the most effective prosecution possible against him on the behalf of the State; and neither any solicitor nor the Attorney-General shall settle or enter a nol. pros. in any case arising under this act, except by the consent of the court.

Intermarriage of Races in Georgia

McPherson, *History of Reconstruction*, p. 474. Decision of the supreme court of Georgia. [1869]

HAVE white persons and persons of color the right under the constitution and laws of Georgia, to intermarry, and live together in this State as husband and wife? . . The Code of Georgia, as adopted by the new constitution, section 1707, forever prohibits the marriage relation between the two races, and declares all such marriages null and void. . . It is our duty to declare what the law is, not to make law. . . I do not hesitate to say that it was dictated by wise statesmanship, and has a broad and solid foundation in enlightened policy, sustained by sound reason and common sense. The amalgamation of the races is not only unnatural, but is always productive of deplorable results. Our daily observation shows us that the offspring of these unnatural connections are generally sickly and effeminate, and that they are inferior in physical development and strength to the full blood of either race. . .

Government has full power to regulate civil and political rights, and to give to each citizen of the State . . equal civil and equal political rights. . . But government has no power to regulate social status. Before the laws the Code of Georgia makes all citizens equal, without regard to race or color; but it does not create, nor does any law of the State attempt to enforce moral or social equality between the different races. . . Such equality does not in fact exist and never can. The God of nature made it otherwise, and no human law can produce it, and no human tribunal can enforce it. There are gradations and classes throughout the universe. From the tallest arch-

angel in heaven down to the meanest reptile on earth moral and social inequalities exist, and must continue to exist throughout all eternity.

While the great mass of the conquering people . . have maintained in power those who demand that the people of the States lately in rebellion shall accord to the colored race equality of civil rights, including the ballot, with the same protection under the law which is offered the white race, they have neither required of us the practice of miscegenation, nor have they claimed for the colored race social equality with the white race. . . We have neither authorized nor legalized the marriage relation between the races, nor have we enacted laws or placed it in the power of the legislature hereafter to make laws regarding the social status, so as to compel our people to meet the colored race on terms of social equality. Such a state of things could never be desired by the thoughtful and reflecting portion of either race. It could never promote peace, quiet, or social order in any State or community. . .

We are of the opinion that the section of the Code which forbids intermarriage between the races is neither inconsistent with, nor is it repealed by, the section of the constitution now under consideration. It therefore stands upon the statute-book of the State forever prohibiting all such marriages, and declaring them to be *null* and *void*.

"Marrying a 'Nigger' School Marm"

Morgan, *Yazoo, or On the Picket Line of Freedom*, p. 342 *et seq.* Extracts from Morgan's account of a conversation with his brother. Morgan was sheriff of Yazoo County, Mississippi, after he had killed his predecessor. The note by Gerrit Smith seems to be of later date. [1873]

[To his brother] God willing, I am going to marry a 'Nigger' school Marm. . .

She is a wonderful creature, that girl of mine; never has been sick a day in her life! Never has taken a dose of any kind of medicine! Her breath is as pure and sweet as if it came off a bed of spring violets.

The first time I saw Carrie [the negro teacher] I lost my

head, banged if I didn't. It happened in this way: I was at Jackson on some business or other connected with the election. General Copeland invited me to visit that school with him; said he had something to show me better for the eyes than fine gold; ay, than many pearls. . . Advancing down the aisle to greet us, with the simple grace of an honest, blushing country girl, yet with all the dignity of a veritable queen, as I fancied, she welcomed us with a smile. . .

The battle was fought in this country when the rebellion collapsed at Appomattox. Garrison, Phillips, Lucretia Mott, Gerrit Smith, Sumner, and a small army of heroic souls have won all the honors. There is now no law in Mississippi standing between my betrothed and me. There are none now to forbid the banns. African slavery on this continent is dead. . .

More than a month ago I introduced into the Senate a bill repealing all the laws upon that subject, and five days afterward that bill, having passed both houses, was approved by the Governor. . .

Of late the old enemy have sort o' been . . getting very kind of sweet on me. They were slower getting to it in Yazoo than at certain points — where Miss —— lives, for example. The lady in question is one of the most brilliant and accomplished I ever met, a splendid woman, no mistake about that; but then — oh, well, they ar'n't of our kind by a long shot. That's all there is to it, and when I saw that my visits to her father's house were being misconstrued by the public, I got Carrie to accompany me to the House of Representatives one day during a recess of the Senate, and caused announcement to be made of our intended marriage. . .

Peterboro', Nov. 15.

COLONEL MORGAN:

My Dear Sir: In the midst of my preparations for going in the morning to the National Historical Society Convention at Syracuse, I received your deeply interesting and thrice welcome letter. I must not only acknowledge the receipt of it,

though it will be only in brief lines that I can do so. God be praised for bringing your enemies to be at peace with you! I am rejoiced to learn that kindness is shown you where you expected to have encountered hatred. You chose a sweet, loving-hearted girl for your wife, and she chose you for her husband. The result is a happy pair. But this is not the most important result. The most is its contributing largely to break down the unnatural and unchristian barriers between races. You and your dear wife have in this respect set a useful example before the world. I am happy to learn through you that your wife is "as well as usual." Mrs. Smith joins me in my regards to you. Your friend,

Gerrit Smith.

A Mixed Marriage at Port Gibson

Mississippi Election of 1875, p. 159. Two accounts, by whites. [1875]

[1] In 1874 . . a saddle-colored member of the legislature, named Haskins Smith, married a young white girl named Ellen Smith, residing in Port Gibson. She ran off with him and was married, I think in Vicksburg. There was, of course, a good deal of talk, particularly among the lower class of people, about this thing of his marrying that girl. It created a good deal of excitement among them, but I think the more sensible people of the community concurred in the idea, that if she wanted to marry him it was her business; but among the riff-raff of the population there was a great deal of talk about injuring him in some way. . .

[2] The father of the girl was very much excited, and the mother has never recovered from the shock she received at the time. The father in that exasperated state of feeling proposed to kill the negro whenever he returned. He was a very good negro, and held in very good esteem by the white people. The negroes here, Haskins's friends, seeing him with a shot-gun, gathered around his hotel en masse. I saw myself the excited crowds that gathered there from day to day.

They were absent during all this time — the man and woman

who were married. The negroes made a great many threats, according to hearsay, but we paid no attention to them. On Sunday, about one week after the occurrence, the negro was brought back to the place by prominent negro leaders, among them the black coroner of our town, who is now in this jail, the leader of a gang which has been sent to the penitentiary for burglary. They went down with carriages to bring the negro back. The negro protested against it, saying he had outraged the feelings of the family, and preferred to remain where he was; but they took him by force and brought him into the village on a quiet Sunday with four or five young men armed, and they paraded our streets up and down, with this negro who had offended the feelings of this family in their midst; and then, not content with this, they followed our young ladies, and went to our graveyard where our parents are buried, and trod all around there, and marched back.

Sumner's Views on Equality

Annual Cyclopedia, 1871, p. 753. Letter in regard to colored convention to be held in South Carolina. [1871]

In the first place, you must at all times insist upon your rights, and here I mean not only those already accorded, but others still denied, all of which are contained in equality before the law. Wherever the law supplies a rule, there you must insist upon equal rights. How much remains to be obtained you know too well in the experience of life. Can a respectable colored citizen travel on steamboats or railways, or public conveyances generally, without insult on account of color? Let Lieutenant-Governor Dunn, of Louisiana, describe his journey from New Orleans to Washington. Shut out from proper accommodations in the cars, the doors of the Senate Chamber opened to him, and there he found the equality a railroad conductor had denied. Let our excellent friend, Frederick Douglass, relate his melancholy experience, when, within sight of the executive mansion, he was thrust back from the dinner-table where his brother commissioners were already seated. . . I might ask the same question with regard to

hotels, and even common schools. An hotel is a legal institution, and so is a common school. As such each must be for the equal benefit of all. Now, can there be any exclusion from either on account of color? It is not enough to provide separate accommodations for colored citizens even if in all respects as good as those of other persons. . . The discrimination is an insult and a hindrance, and a bar, which not only destroys comfort and prevents equality, but weakens all other rights. The right to vote will have new security when your equal rights in public conveyances, hotels, and common schools, is at last established; but here you must insist for yourselves by speech, by petition, and by vote. . .

Among the cardinal objects in education which must be insisted on must be equality, side by side with the alphabet. It is in vain to teach equality if you do not practise it. It is in vain to recite the great words of the Declaration of Independence if you do not make them a living reality. What is lesson without example? As all are equal at the ballot-box, so must all be equal at the common school. Equality in the common school is the preparation for equality at the ballot-box; therefore do I put this among the essentials of education.

A Southern Definition of Equal Rights

Annual Cyclopedia, 1872, p. 142. Speech of Senator Hill, of Georgia. [1872]

I NEVER can agree . . that if there be a hotel for the entertainment of travellers, and two classes stop at it, and there is one dining-room for one class and one for another, served alike in all respects, with the same accommodations, the same attention to the guests, there is anything offensive, or anything that denies the civil rights of one more than the other. Nor do I hold that if you have public schools, and you give all the advantages of education to one class as you do to another, but keep them separate and apart, there is any denial of civil right in that. I also contend that even upon the railways of the country, if cars of equal comfort, convenience, and security, be provided for different classes of persons, no

one has a right to complain if it be a regulation of the companies to separate them. I go further, and I illustrate it by my own observation and experience: in the town in which I live the fact bears me out, that prior to the war the slave and his master worshipped in the same church, and were members of the same congregations; but on the motion of the former slave after the close of the war, and with appeals to his white friends to aid him, separate churches have been built for the special accommodation of the colored people, and today colored ministers in those churches serve colored congregations to the exclusion of white ministers. . . I take it that this is done because the colored people prefer having it so. . .

Now, sir, there is a radical difference between the Senator from Massachusetts [Sumner] and myself; it is irreconcilable. I never can see this as the Senator sees it.

Political Effects of Civil Rights Agitation

Nordhoff, *Cotton States*, p. 91. [1875]

THE agitation of the Congressional Civil Rights Bill did more, even, than Republican misrule, to give the State [Alabama] to the Democrats last fall [1874]. Alabama has a large population of whites — small farmers collected in the northern counties, where there are but few negroes. These people, who had pretty generally voted the Republican ticket in previous years, became alarmed at the prospect of "negro equality," . . and last fall, under the representations of adroit and earnest Democratic speakers, they went over in a body to the Democratic party. The passage [1875] of the absurd Civil Rights Bill by Congress has probably allayed their fears, because it is now found to be substantially a dead letter. The blacks do not attempt to have it enforced, and it is probable that its only use will be to annoy the Republicans in the Northern States, and in regions South where there are but few negroes and where the Democrats propose to arouse the race prejudice by hiring negroes to board at hotels, and to otherwise insist on the enforcement of the law during the next year's canvass.

Civil Rights Act, 1875

Statutes at Large, vol. xviii, p. 335. [March 1, 1875]

WHEREAS, it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Be it enacted, . . That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theatres, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Sec. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year: *Provided,* That all persons may elect to sue for the penalty aforesaid or to proceed under their rights at common law and by State statutes; and having so elected to proceed in the one mode or the other, their right to proceed in the other jurisdiction shall be barred. But this proviso shall not apply to criminal proceedings, either under this act or the criminal law of any State: *And provided further,* That a judgment for the penalty

in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively.

Sec. 3. That the district and circuit courts of the United States shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses against, and violations of, the provisions of this act; and actions for the penalty given by the preceding section may be prosecuted in the territorial, district, or circuit courts of the United States wherever the defendant may be found, without regard to the other party; and the district attorneys, marshals, and deputy marshals of the United States, and commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting and imprisoning or bailing offenders against the laws of the United States, are hereby specially authorized and required to institute proceedings against every person who shall violate the provisions of this act, and cause him to be arrested and imprisoned or bailed, as the case may be, for trial before such court of the United States, or territorial court, as by law has cognizance of the offense, except in respect of the right of action accruing to the person aggrieved; and such district attorney shall cause such proceedings to be prosecuted to their termination as in other cases: *Provided,* That nothing contained in this section shall be construed to deny or defeat any right of civil action accruing to any person, whether by reason of this act or otherwise; and any district attorney who shall wilfully fail to institute and prosecute the proceedings herein required, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action of debt, with full costs, and shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than one thousand nor more than five thousand dollars: *And provided further,* That a judgment for the penalty in favor of the party aggrieved against any district attorney, or a judgment upon an indictment against any such district attorney, shall be a bar to either prosecution respectively.

Sec. 4. That no citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified

for service as grand or petit juror in any court of the United States, or of any State, on account of race, color, or previous condition of servitude; and any officer or other persons charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars.

Sec. 5. That all cases arising under the provisions of this act in the courts of the United States shall be reviewable by the Supreme Court of the United States, without regard to the sum in controversy, under the same provisions and regulations as are now provided by law for the review of other causes in said court.

4. ATTEMPTS AT INDUSTRIAL REORGANIZATION [1]

A Plan of Industrial Reorganization

Trowbridge, *The South*, p. 431. Extracts from the constitution of the Monroe County (Alabama) Agricultural Association, 1865. Adopted by other counties of southeast Alabama. [1865]

ARTICLE 6th. It shall be the duty of the Executive Committee to look after the welfare of the freedmen, in their respective beats, to inspect and sanction each and every contract made between freedmen and their employers, and to see that said freedmen are not deceived or overreached in any contract made with the employer. . . And when any contract, as aforesaid, shall be fairly and understandingly made, it shall be the law between the parties thereto, and when any difficulty arises between any freedman and his white employer, relative to the construction or performance of any contract, said committeeman may act as arbitrator between the parties, and his decision shall be final, unless one or both of the parties desire an appeal. . .

Art. 8th. It shall be the duty of all the officers of this Association, to see that the freedman shall receive from his employer his wages or earnings, and in case such employer refuses to pay promptly such wages and earnings, to aid the freedman by their full power in the collection of the same.

Art. 9th. It shall also be the duty of this Association, and particularly the officers thereof, to see that the freedman shall comply with his contracts with his employer unless he can show some good or reasonable excuse for the non-performance.

Art. 13th. It shall be the duty of the said Association to provide a home for the aged and helpless freedmen of the county, and for such others as are unable to make an honest support, and to see that they are provided with the necessaries of life,— to devise ways and means for their permanent relief and support.

1. See also Chapter I.

Art. 15th. It shall be the duty of this Association, and all the officers thereof, to favor, as much as possible, the education and schooling of the colored children in said county, and to aid in devising ways and means, and making arrangements for having said children properly taught and their general morals taken care of.

To Encourage Immigration

Statutes at Large of South Carolina, vol. xiii, p. 380. The Southern provisional governments (1865-1867) made strong efforts to attract white immigrants to the South, but without success.

[December 20, 1866]

I. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of encouraging, promoting and protecting European immigration to and in this State, the sum of ten thousand dollars be appropriated from the contingent fund, to be expended under the direction of the Government, for the purposes and in the manner hereinafter provided.

II. That the Governor, by and with the advice and consent of the Senate, shall appoint a Commissioner of Immigration, who shall open an office in the fire-proof building in Charleston, to perform such duties as may appertain to his office, and shall be paid for his services the salary of fifteen hundred dollars per annum out of the fund aforesaid, in quarterly payments.

III. That it shall be the duty of said Commissioner of Immigration to advertise in all the gazettes of the State for lands for sale; to cause such lands, after having been duly laid off, platted and described, at the expense of the owner or owners of said lands, to be appraised by three disinterested persons, and their titles to be examined by the Attorney General or Solicitors of the State, and endorsed by them, as the case may be; to open a book or books for the registry of the same, together with the price demanded and the conditions of payment. And in case such lands be selected by any immigrant, to superintend the transfer of title and other necessary instruments and proceedings of conveyance.

IV. That the said Commissioner shall periodically publish, advertise and cause to be distributed in the Northern and European ports and states, descriptive lists of such lands as have been registered and offered for sale, together with this Act, and a statement of such advantages as this State offers in soil, climate, productions, social improvements, etc., to the industrious, orderly and frugal European immigrant.

The Effects of Emancipation

Report of Joint Committee on Reconstruction, part iv, p. 135. Statement of J. D. B. DeBow, editor of *DeBow's Review*. [1866]

If we can get the same amount of labor from the same persons [negroes], there is no doubt of the result in respect to *economy*. Whether the same amount of labor can be obtained, it is too soon yet to decide. We must allow one summer to pass first. They are working now very well on the plantations. . . The negro women are not disposed to field work as they formerly were, and I think there will be less work from them in the future than there has been in the past. The men are rather inclined to get their wives in[to] other employment, and I think that will be the constant tendency, just as it is with the whites. Therefore, the real number of agricultural laborers will be reduced. I have no idea the efficiency of those who work will be increased. If we can only keep up their efficiency to the standard before the war, it will be better for the south, without doubt, upon the mere money question, because it is cheaper to hire the negro than to own him. Now a plantation can be worked without any outlay of capital by hiring the negro and hiring the plantation.

Beginning with Free Negro Labor

Leigh, *Ten Years on a Georgia Plantation*, pp. 13, 24, 53, 55, 113. Miss Frances Butler (Mrs. Leigh) was the daughter of Fanny Kemble Butler. For several years after the war she managed a plantation on the Georgia coast. Extracts from letters. [1866]

They received him [my father] very affectionately, and made an agreement with him to work for one half the crop. . . Owing to our coming so late, only a small crop could be planted,

enough to make seed for another year and clear expenses. . . Most of the finest plantations were lying idle for want of hands to work them, so many of the negroes had died; 17,000 deaths were recorded by the Freedmen's Bureau alone. Many had been taken to the South-west, and others preferred hanging about the towns, making a few dollars now and then, to working regularly on the plantations; so most people found it impossible to get any labourers. . .

The negroes seem perfectly happy at getting back to the old place and having us there, and I have been deeply touched by many instances of devotion on their part. . .

The prospect of getting in the crop did not grow more promising as time went on. The negroes talked a great deal about their desire and intention to work for us, but their idea of work, unaided by the stern law of necessity, is very vague, some of them working only half a day and some even less. I don't think one does a really honest full day's work, and so of course not half the necessary amount is done and I am afraid never will be again. . . They are affectionate and often trustworthy and honest, but so hopelessly lazy as to be almost worthless as labourers.

My father was quite encouraged at first, the people seemed so willing to work and said so much about their intention of doing so; but not many days after they started he came in quite disheartened, saying that half the hands had left the fields at one o'clock and the rest by three o'clock, and this just at our busiest time. Half a day's work will keep them from starving, but won't raise a crop. Our contract with them is for half the crop; that is, one half to be divided among them, according to each man's rate of work, we letting them have in the meantime necessary food, clothing, and money. . . If we paid them wages, the first five dollars they made would have seemed like so large a sum to them, that they would have imagined their fortunes made and refused to work any more. . . They told us, when they missed working two or three days a week, that they were losers by it as well as ourselves, half the crop being theirs. . . They were quite convinced

that if six days' work would raise a whole crop, three days' work would raise half a one, with which they as partners were satisfied, and so it seemed as if we should have to be too. . .

The people seem to me working fairly well, but Major D——, used only to Northern labour, is in despair, and says they don't do more than half a day's work, and that he has often to go from house to house to drive them out to work, and then has to sit under a tree in the field to see they don't run away.

A Mr. G—— from New York has bought Canon's Point, and is going to the greatest expense to stock it with mules and farming implements of all sorts, insisting upon it that we Southerners don't know how to manage our own places or negroes, and he will show us. . .

[The history of Canon's Point is as follows. Mr. G—— having started by putting the negroes on regular wages expecting them to do regular work in return, and not being at all prepared to go through the lengthy conversations and explanations which they required, utterly failed in his attempt either to manage the negroes or to get any work out of them. Some ran off, some turned sulky, and some stayed and did about half the work. So that at the end of two years he gave the place up in perfect disgust, a little to our amusement, as he had been so sure, like many another Northern man, that all the negroes wanted was regular work and regular wages, overlooking entirely the character of the people he was dealing with, who required a different treatment every day almost; sometimes coaxing, sometimes scolding, sometimes punishing, sometimes indulging, and always, unlimited patience. After Mr. G—— failed in his management of the negroes he gave the place up, leaving an agent there merely to keep possession of the property. This man in turn moved off, leaving about fifty negro families in undisputed possession, who two years later were driven off by a new tenant who undertook to charge them high rent for their land; and it is now finally in the hands of a Western farmer and his son, who told my husband last winter that they were delighted with the place and climate,

but had not learned to manage the negroes yet, as when he scolded them they got scared and ran off, and when he did not they would not work. . .[1]

On both places the work is done on the old system, by task. We tried working by the day, indeed I think we were obliged to do so by the agent of the Freedmen's Bureau, to whom all our contracts had to be submitted, but we found it did not answer at all, the negroes themselves begging to be allowed to go back to the old task system. One man indignantly asked Major D—— what the use of being free was, if he had to work harder than when he was a slave. . .

In all other ways the work went on just as it did in old times. The force, of about three hundred, was divided into gangs, each working under a head man — the old negro drivers, who are now called captains, out of compliment to the changed times. These men make a return of the work each night. . . To make them do odd jobs was hopeless, as I found when I got some hands from Butler's Island, and tried to make them clear up the grounds about the house, cut the undergrowth and make a garden. Unless I stayed on the spot all the time, the insant I disappeared they disappeared as well. . . I set a man to churn some butter. After leaving him for a few moments, I returned to find him sitting on the floor with the churn between his legs, turning the handle slowly, about once a minute. "Cato," I exclaimed, "that will never do. You must turn just as fast as ever you can to make butter!" Looking up very gravely, he replied, "Missus, in dis country de butter must be coaxed; der no good to hurry." And I generally found that if I wanted a thing done I first had to tell the negroes to do it, then show them how, and finally do it myself. . . They always were perfectly good-tempered, and received my orders with, "Dat's so, missus; just as missus says," and then always somehow or other left the thing undone. . .

I have had a good deal of trouble this last week with my people — not serious, but desperately wearisome. They are the most extraordinary creatures, and the mixture of leniency

1. Mrs. Leigh's note, date of 1882.

and severity which it is requisite to exercise in order to manage them is beyond belief. Each thing is explained satisfactorily to them and they go to work. Suddenly some one, usually the most stupid, starts an idea that perhaps by-and-by they may be expected to do a little more work, or be deprived of some privilege; upon which the whole field gets in the most excited state, they put down their hoes and come up to the house for another explanation, which lasts till the same thing happens again.

Making Contracts with Negroes

Leigh, *Ten Years on a Georgia Plantation*, pp. 86-127 *passim*. Extracts from letters. For several years after the war contracts were required by the Freedmen's Bureau. Verbal agreements have since been the rule. [1867, 1868]

NOT one signed the contract without a long argument on the subject, most of them refusing to sign at all, though they all assured me they wished to work for me as long "as de Lord spared dem." I knew, however, too well, that this simply meant that they were willing to continue to live on St. Simon's as long as the Lord spared them, but not to work, so I was firm, and said, "No, you must sign or go away." So one by one, with groans and sighs they put their marks down opposite to their names. . .

The next morning at ten, I had the big mill bell rung to summon the people here to sign the contract, and then my work began in earnest. For six mortal hours I sat in the office without once leaving my chair, while the people poured in and poured out, each one with long explanations, objections, and demonstrations. I saw that even those who came fully intending to sign would have their say, so after interrupting one man and having him say gravely, " 'Top, missus, don't cut my discourse," I sat in a state of dogged patience and let everyone have his talk out, reading the contract over and over again as each one asked for it, answering their many questions and meeting their many objections as best I could. One wanted this altered in the contract, and another that. One was willing to work in the mill but not in the field. Several would not

agree to sign unless I promised to give them the whole of Saturday for a holiday. Others . . would "work for me till they died," but would put their hand to no paper. And so it went on all day, each one "making me sensible," as he called it.

But I was immovable. "No, they must sign the contract as it stood." "No, I could not have anyone work without signing." "No, they must work six days and rest on Sunday," &c., &c. Till at last six o'clock in the evening came and I closed the books with sixty-two names down, which was a good deal of a triumph as my agent told me he feared none would sign the contract, they were so dissatisfied with last year's settlement. . .

Tuesday and Wednesday my stragglers came dropping in, the last man arriving under a large cotton umbrella, very defiant that he would not sign unless he could have Saturday for a holiday. "Five days I'll work, but . . I works for no man on Saturday." "Then," said I, "William, I am sorry, but you can't work for me, for any man who works for me *must* work on Saturday." "Good morning, den, missus," says my man, with another flourish of the umbrella, and departs. About an hour afterwards he returned, much subdued, with the umbrella shut, which I thought a good sign, and informed me that after "much consideration wid himself," he had returned to sign. . .

They are prepared again to make their own, and different, terms for next year, but except for the bother and trouble I don't feel very anxious about it, for we have a gang of Irishmen doing the banking and ditching, which the negroes utterly refuse to do any more at all, and therefore, until the planting begins, we can do without the negro labour.

The First Pay Day on a Plantation

Leigh, *Ten Years on a Georgia Plantation*, p. 74. [1867]

My father had given each negro a little pass-book, in which had been entered from time to time the food, clothing, and money which each had received from him on account. Of these little books there were over three hundred, which repre-

sented their debits; then there was the large plantation ledger, in which an account of the work each man had . . done every day for nearly two years, had been entered, which represented their credits. . .

Night after night, when the day's work was over, I sat up till two and three o'clock in the morning, going over and over the long lines of figures, and by degrees got them pretty straight. I might have saved myself the trouble. Not one negro understood it a bit, but all were quite convinced they had been cheated, most of them thinking that each man was entitled to half the crop. I was so anxious they should understand and see they had been fairly dealt with, that I went over and over again each man's account with him, and would begin, "Well, Jack, . . you got on such a date ten yards of homespun from your master." "Yes, missus, massa gave me dat." "Then on such and such a day you had ten dollars." "Yes, missus, dat so." And so on to the end of their debits, all of which they acknowledged as just at once. . . When all these items were named and agreed to, I read the total amount, and then turned to the work account. And here the trouble began, every man insisting upon it that he had not missed one day in the whole two years, and had done full work each day. So after endless discussions, which always ended just where they began, I paid them the money due to them, which was always received with the same remark, "Well, well, work for massa two whole years, and only get dis much." Finding that their faith in my father's justice never wavered, I repeated and repeated and repeated, "But I am paying you from your master's own books and accounts." But the answer was always the same, "No, no, missus, massa not treat us so." Neither, oddly enough, did they seem to think I wished to cheat them, but that I was powerless to help matters, one man saying to me one day, "You see, missus, a woman ain't much 'count." I learned very soon how useless all attempts at "making them sensible" . . were, and after a time, used to pay them their wages and tell them to be off, without allowing any of the lengthy arguments and discourses over their payments they

wished to indulge in, often more, I think, with an idea of asserting their independence and dignity, than from any real belief that they were not properly paid.

Their love for, and belief in my father, was beyond expression, and made me love them more than I can say. . .

Notwithstanding their dissatisfaction at the settlement, six thousand dollars was paid out among them, many getting as much as two or three hundred apiece. The result was that a number of them left me and bought land of their own. . . The land they bought, and paid forty, fifty dollars and even more for an acre, was either within the town limits, for which they got no titles, and from which they were soon turned off, or out in the pine woods, where the land was so poor they could not raise a peck of corn to the acre. These lands were sold to them by a common class of men, principally small shopkeepers and Jews (the gentlemen refusing to sell their land to the negroes, although they occasionally rented it to them), and most frightfully cheated the poor people were. But they had got their land, and were building their little log cabins on it, fully believing that they were to live on their property and incomes the rest of their lives.

The Land Question in Virginia

Robert Somers, *The Southern States*, p. 21. Somers was an Englishman. He traveled through the South investigating economic conditions. [1871]

THE first question asked of a stranger is whether he has come to look at land. I was not three minutes in Richmond till a pushing Irishman offered to sell me a very fine milch cow and calf on the spot, or tell me where I could get a nice bit of land on very economical terms. But the stranger who is landward-bound is not left to such chance means of information. There are dozens of respectable estate-agents, every one of whom has lists of farms and estates for sale which he advertises in the newspapers, and offers in fee-simple at a rate per acre that in England or Scotland, or even Ireland, would be deemed but a moderate annual rent, and payment of which

he is willing to take in cash just enough to pay the expenses of suit, with the balance in instalments spread over three or four years. Every one of them states in private that he has even more lands on his lists for sale than he advertises. Nor is this all. The State of Virginia has appointed a board of emigration . . whose sole object is to guide and assist, by every kindly office, persons from abroad wishing to invest a little capital and settle on the soil of Virginia. I might fill pages with a description of farms and plantations and lots, large and small, of land that are thus on the market. . .

To understand the avalanche of land bargains at present in Virginia, one has to remember that before the War the land was owned chiefly by slaveholders, who had large estates which they never fully cultivated, but on which they shifted their crops about from one place to another, and who, finding themselves with plenty of money and little trouble under this system, allowed their overseers and slave-dealers to settle all the hard matters between them. At the close of the war, when the slaves became free, it is easy to perceive that with no means left to cultivate such large tracts of land under the new conditions, it became a necessity, as well as the best thing that the owners could do, to sell large portions of their estates, and to retain just as much as they had capital and labour to cultivate; and this they have done and are doing to some extent. In some cases, proprietors, not rich save in land before the war, have since become embarrassed, and, falling into debt and arrears of taxes, have had decrees passed against them in the courts, under which sales were ordered to proceed. There have been instances also of gentlemen "slain in battle," or driven from the country, or flying from it in despair, and of every form of vicissitude and ruin that follows in the train of war and social revolution. The consequence is that a large proportion of the landed property of a great and long-settled State is literally going a-begging for people to come and take it. The like has seldom been seen before.

5. CONDITIONS IN THE BLACK BELT AND IN THE WHITE DISTRICTS

"Enjoying Freedom to its Fullest Extent"

Mrs. V. V. Clayton, *White and Black under the Old Regime*, p. 172. Copyright 1899. Used by permission of Mrs. Clayton. Such experiences were so common as almost to be the rule after 1865. [1865]

AFTER Emancipation, Lewis remained with us many years. His home was only a short distance from our home. He cultivated a farm successfully, and soon had acquired not only the necessaries of life, but some luxuries. He had a pair of nice horses, a buggy and wagon, and other things, and lived well; but he had never known freedom entirely without Mars' Henry's supervision. One day he came to the conclusion that he would move away and enjoy freedom to its fullest extent. He came to see Mr. Clayton in the fall to say something about it. He seemed embarrassed when Mr. Clayton addressed him: "Lewis, what is it you want?" "Well, Mars' Henry, I want to move away and feel ontirely free and see whut I cen do by mysef. You has been kind to me and I has done well, but I want to go anyhow." Mr. Clayton said, "Very well, Lewis, that is all right, move when you please; but when you leave, nail up the door of your house and leave it until you want to come back. No one shall go into it."

Lewis and his brother, Ned, rented a farm some miles beyond Clayton, moved, and we heard no more of them until the next fall, when Lewis made his appearance, very much dejected. Mr. Clayton said, "How are you, Lewis? How are you getting on?" "Bad, Mars' Henry. I have come to ask ef I cen go into my house again."

Lewis and Ned had hired hands, gotten a merchant to furnish them, and lost almost everything they had started out with. Lewis moved back, and has been loth to leave the Claytons since, and is now with us, an old man. Ned died very soon after with pneumonia. His wife, Betsy, soon followed him to the grave. She had consumption, something almost

unheard of with the colored people when slavery existed, but which is now a common disorder with them.

Conditions in 1870

Transactions Alabama Historical Society, vol. iv. Letter of William F. Samford. [1870]

We are to-day . . poorer than we were on the day of the surrender of the Southern armies. Our carpetbaggers and nigger scalawags have imposed intolerable taxation upon a people already crushed to the earth. A deep and sullen gloom is settling upon the Southern heart. Twelve cents for cotton and twenty-five cents for bacon and one hundred and fifty dollars and rations for a negro idler;— for laborer he will not be — winds up the plantation business. Why don't we raise hogs and make our own bacon? Why a hog has no more chance to live among these thieving negro farmers than a juney bug in a gang of puddle ducks. . . All this great staple producing region is essentially upon the sheriff's block.

Negro Opposition to Immigration

J. S. Pike, *Prostrate State*, p. 55. South Carolina in 1871. [1871]

And so in the matter of immigration. The material interests of the State clearly demand it. But the blacks are against it, as they fear its political consequences. A late debate in the Senate illustrated this. A bill was up to exempt new railroad enterprises and various enumerated kinds of manufactures from taxation. A black leader debated it, and in the course of his remarks took occasion to say he had heard, or overheard, a good deal from the class of people whom this legislation was designed to benefit; that it was intended to overslaugh and crowd out the blacks by foreign immigrants, to be introduced into the State by wholesale. Now, he wanted everybody to understand that the blacks did not intend to be crowded out, but that they proposed to stand their ground and, "fight this thing out to the bitter end." He said they might bring on their immigrants, and they would find the blacks ready for them.

The Emancipation of White Labor

Somers, *The Southern States*, pp. 117, 272. [1871]

ACRE for acre under cultivation, the Valley of the Tennessee yields now [1871] a smaller quantity of cotton than in slavery times, while there are obviously large tracts once cultivated now wild and in a state of rest and neglect. . . The hilly districts have long been occupied by a poor white population, who have always produced more or less cotton. But the high value to which cotton was raised by the war, and the "labour difficulty" of the large plantations, have inspired them with new hope, life, and industry; and this class of growers have swelled considerably of late years the deliveries of cotton at the railway depots. . . The extent to which they raise their own crop by the labour of their own families renders the *per contra* of cost less distinct to them than to the large planters. They gin and bale their produce at common [1] gin-houses; they spin and weave their own cloth; nourish their cows and hogs; and, when the seasons are favorable, succeed in raising a fair stand of cotton. There never have been better or larger crops of cotton in the hill districts than in this season. These small hill farmers come down occasionally into the plain, looking for land to rent or buy; and it is not improbable that many of the better and more industrious class of families in "the mountains," as the gently swelling uplands are called, will eventually come down altogether, and help to renovate the waste places, and build up the agricultural prosperity of the valley.

I hold it, from observation as well as testimony, to be certain that the larger proportion of the annual expansions of the cotton crop since the war is due to the energy, on small farms, in gardens, and on crops taken on waste and unoccupied plantations, of white labour. Some few of the negroes no doubt contribute independently to this small-farm movement; but the *ad captandum* mode of arguing the superior efficiency of free negro labour — viz. that so many negroes perished in

1. Community or public gin-house as distinguished from a plantation or private ginnery.

the war, that negro women do not now work in the field, that negro children are now put to school, and that nevertheless the crop being all but equal to what it was under slavery, it follows that the negroes free must produce greatly better than when slaves — is superficial, and does not touch the substantial merits of the question. . . It does not embrace the fact that scarcely any of the plantations on which cotton was grown under slavery are nearly up to the mark of production before the war; and it leaves out of view the great number of small white farmers who, under the disability of the former growers, have begun for the first time to raise cotton, the numerous bands of white labourers who have availed themselves of the abundant opportunities of renting and cropping from year to year, the white villagers who have thrown their sickles into the common harvest . . and the cloud of white planters and their families, reduced to poverty, who have been the foremost to go down into the Western bottoms, and there and elsewhere have bent with noble fortitude and ardour to labour in the fields. It would be a misapprehension to take the cotton crop now as the product of negro labour in the same sense as it was before the war. The intermixture of white labour in the cotton culture of the South is already large, and though the forms under which the lands are cultivated are various yet the general distinction betwixt large plantations wrought by negroes under white employers, and small farms wrought chiefly by white people, remains a prominent feature of the new state of things, the practical force of which is felt more year by year.

An Englishman's Estimate of Free Negro Labor

Somers, *The Southern States*, p. 128. [1871]

THE emancipation of the slaves is accepted with remarkable equanimity when one considers the overturn of personal fortune, and all the bitterness of the war with which it was associated; and an expression of gladness to have now done with slavery, and to have touched some common ground of civilization, is often heard. But what the planters are disposed to complain of is that, while they have lost their slaves, they

have not got free labourers in any sense common either in the Northern States or in Europe; and, looking around here at Jonesboro [Alabama, Tennessee Valley], after a calm and wide survey, one cannot but think that the New England manufacturer and the Old England farmer must be equally astonished at a recital of the relations of land, capital, and labour as they existed on the cotton plantations of the Southern States. The wages of the negroes, if such a term can be applied to a mode of remuneration so unusual and anomalous, consist, . . of one half the corn and cotton, the only crops in reality produced. This system of share and share alike betwixt the planter and the negro I have found to prevail so generally that any other form of contract is but the exception. The negro, on the semi-communistic basis thus established, finds his own rations; but as these are supplied to him by the planter, or by the planter's notes of credit on the merchants . . and as much more sometimes as he thinks he needs by the merchants on his own credit, from the 1st. of January onward through the year, in anticipation of crops which are not marketable till the end of December, he can lose nothing by the failure or deficient outcome of the crops, and is always sure of his subsistence. As a permanent economic relation this would be startling anywhere between any classes of men brought together in the business of life. Applied to agriculture in any other part of the world, it would be deemed outrageously absurd. But this is only a part of the "privileges" (a much more accurate term than "wages") of the negro field-hand. In addition to half of the crops, he has a free cottage of the kind he seems to like, and the windows of which he or his wife persistently nail up; he has abundance of wood from the planter's estate for fuel and for building his corn-cribs and other outhouses, with teams to draw it from the forest; he is allowed to keep hogs, and milch cows, and young cattle, which roam and feed with the same right of pasture as the hogs and cattle of the planter, free of all charge; he has the same right of hunting and shooting, with quite as many facilities for exercising the right as anybody else — and he has his

dogs and guns, though, as far as I have discovered, he provides himself with these by purchase or some other form of conquest. Though entitled to one-half the crops, yet he is not required to contribute any portion of the seed, nor is he called upon to pay any part of the taxes of the plantation. The only direct tax on the negro is the poll-tax, which is wholly set apart for the education of his children, and which I find to be everywhere in arrears, and in some places in a hopeless chaos of non-payment. . .

The negro field-hand, with his right of half-crop and privileges as described, who works with ordinary diligence, looking only to his own pocket, and gets his crops forward and gathered in due time, is at liberty to go to other plantations to pick cotton, in doing which he may make from two to two and a half dollars a day. For every piece of work outside the crop he does even on his own plantation he must be paid a dollar a day. It may be clearing ditches or splitting rails, or anything that is just as essential to the crops as the two-inch plowing and hoeing in which he shambles away his time, but for all this kind of work he must be paid a dollar a day. While the landowner is busy keeping accounts betwixt himself and his negro hands, ginning their cotton for them, doing all the marketing of produce and supplies of which they have the lion's share, and has hardly a day to call his own, the "hands" may be earning a dollar a day from him for work which is quite as much theirs as his. Yet the negroes, with all their superabounding privilege on the cotton field make little of it. A ploughman or a herd in the old country would not exchange his lot for theirs, as it stands and as it appears in all external circumstances. They are almost all in debt; few are able at the end of the year to square accounts with "the Merchant;" and it is rarely the planter can point with pride, and with the conscious joy of recording his own profit, to a freedman, who, as a result of the year's toil, will have a hundred or two dollars to the good. The soul is often crushed out of labour by penury and oppression. Here a soul cannot begin to be infused

into it through the sheer excess of privilege and license with which it is surrounded.

Cities and Varied Industries

Nordhoff, *Cotton States in 1875*, pp. 23, 103. [1875]

ALMOST everywhere, except in Louisiana, Mississippi, and perhaps, Arkansas, I noticed an increase of the towns. I saw many new buildings, and others going up; and observant Southern men remarked upon this to me also. Wherever the people have been moderately prosperous, these improvements begin to make a show. The reason for this growth of towns was pointed out to me by Mr. Goodloe, a North Carolinian, and an Abolitionist before the war, whose essay [1] touching this question seemed to me both curious and valuable. Under the slave-system, whenever a man had saved a thousand dollars he bought a slave; and the accumulated wealth of the South was almost entirely invested in this species of property. Hence there was no money to build dwellings in the towns, to carry on retail shops, to make all those improvements which mark our Northern civilization. "But," as Mr. Goodloe remarks, "the money paid for slaves was substantially wasted, because the negro will work in freedom." A horse, a cow, or a sheep must be owned in order to be of service to man. Not so a man, a negro man. It was not necessary to enslave him in order to make him industrious and useful to the community of which he forms a part. Experience since the war shows that he will work without being owned. It is true, therefore, that the money invested in slaves was wasted, so far as the general community was concerned; it was a misapplication of capital. With the extinction of slavery, this waste of the savings of the Southern people stopped. As wealth once more begins to accumulate, some other and sound forms of investment are, and will be, sought for it. It will be turned into houses, town improvements, and, above all, I believe, into factories of various kinds. Of course the accumulations of the community will no

1. In the Report of the Bureau of Agriculture for 1865.

longer be in so few hands as before; but this also is found to be a great advantage in the South, where employments are becoming more varied, and there is more work for mechanics of different kinds. It is among the factory workers and the small farmers of Georgia that one finds the chief prosperity of the State. Here there is little or no debt; money circulates rapidly; improvements are seen; and there are patient, hopeful labor, thrift, and enterprise, which affect, as it seems to me, the whole population. I heard here and there of instances of poor young mechanics working steadily and earnestly, in a New England way, at their trades, making labor respectable, accumulating property, and making honorably places in their communities; and some such men talked to me of their past and their future, of the hopeful change which the extinction of slavery had produced in the prospects of their class, in language which showed me that there is a new born hope of better things in the poor white people of the State.

Cotton and Rice Plantations

Leigh, *Ten Years on a Georgia Plantation*, pp. 116, 223, 263. From letters of Mrs. Leigh and Rev. J. W. Leigh. [1868-1870]

Mr. G——, another rich New York man, who figured it all out on paper there, came here two years ago to make his fortune, and he told me the other day that he was perfectly convinced that Sea Island cotton never would pay again. . . The labour is too uncertain, and anyone who knows, as I do, that after all my hard work the crop may be lost at any moment by the negroes going off or refusing to work, knows how useless it is to count on any returns with certainty. Wherever white labour can be introduced, other crops will be cultivated, and wherever it can't, the land will remain uncultivated.

Rice lands now rent at ten dollars an acre, and cotton from two to three, so you can judge what the people here think about it. . .

Since the war, owing to want of capital and labour, much of the country in the Southern States has returned to its normal [wild] condition, and that whereas formerly, in six of the

Southern States, 186,000,000 bushels of rice were sent to market, in 1870 only 72,000,000 were raised. The original planters having been completely ruined by the war, the planting in many cases has been carried on by negroes on their own account in small patches. As the Agricultural Commissioner, in his report, has lately stated — "The rice-planters were driven from the Carolina and Georgia shores during the war, labour was in a disorganized and chaotic state, production had almost ceased, and at its close, dams, flood-gates, canals, mills, and houses were either dilapidated or destroyed, and the power to compel the labourers to go into the rice-swamps utterly broken. The labourers had scattered, gone into other businesses, and those obtainable would only work for themselves on a share contract. Many of the proprietors were dead, and more [were] absentees, and inexperienced men from the North or elsewhere assumed their places. The rice-fields had grown up in weeds or tangled shrubbery, the labour of separation was discouraging, and the work of cultivation greatly increased, giving unexpected gravity to the accidents and contingencies of the season."

This picture is by no means overdrawn, and even now, in our own neighbourhood, there is scarcely a planter whose plantation is not mortgaged, and whose crop is not the property of his factor, who has advanced him money to plant with. They plant on sufferance, and live from hand to mouth as best they can.

The Credit System

Straker, *The New South Investigated*, p. 87. The credit or supply system had fully developed before the close of Reconstruction. [1870-1880]

At the close of the war, added to the renting of small farms to the colored man by whites, to be paid in certain proportions of the crop, was the system of making advances to this class of farmers of such necessary farming utensils and necessities for food and clothing. . . This system in its incipiency had nothing in its intent discommendable, but it afterwards grew into the strongest engine of power, political and civil, as turned against

the colored laborer and the poor white. The profit to be delivered from such an occupation, in which total ignorance had to compete with panoplied intelligence, soon caused numerous small merchants . . to set up small stores on every plantation cultivated. In most instances the merchant was also landlord, and in this combination commenced a system of usury, unrivalled by the Jews of Lombardy in ancient times. The poor, ignorant colored and white man, renting small farms and relying on the merchant for advances to make his crop, were and still are compelled to pay the exorbitant interest, frequently of fifty per cent and not unusually of seventy or ninety per cent. A coat which cost the merchant one dollar, was frequently sold for two; a pound of meat that cost six cents was sold for twelve; a hat which cost fifty cents was sold for $1.50; so likewise with shoes and other things. . . I have seen colored men who, having a large family, rent a small farm and take advances for a year to make a crop, and at the end of said year, after paying such debts to the merchant as were incurred in making said crop, [do] not have money enough to buy a suit of clothing for any one of the family. I have also seen the taking of all the crop by the merchant, and also, the horse or mule and other chattels which were given as collateral security for the debt in making a crop in one year.

The "Dead-Fall" Evil

Henry D. Clayton, *Charge to Barbour County, Alabama, Grand Jury*, November 16, 1874. After the overthrow of the Reconstruction régime the "Sunset" law was enacted in most of the Southern states. It prohibited the purchase of produce after sunset unless complete records were kept. This broke up night sales of stolen produce. [1874]

In addition to the causes already enumerated as having more or less affected the material condition of the State, the so-called "dead falls" are, in a great measure, responsible for the existing poverty. A "Dead-fall" is simply a small shop or store where for a few pounds of stolen cotton or a measure of corn, white thieves give whisky to black ones. All over Alabama, in sly nooks and corners, these places have been established, and the harm they are doing is almost beyond belief. Since the war

the negroes have acquired an uncontrollable appetite for strong drink, and still believing that "what's massa's is mine," they have for years been in the habit of selling whatever of value they could steal without fear of detection, and from the proceeds buying whisky and tobacco. Some time after reconstruction [1868] in order to derive profit from this system of petty thievery, unprincipled men throughout the State established the stores mentioned. They receive any quantity of cotton or corn in exchange for bad spirits or poisonous candy, and . . encourage the negroes to steal as large quantities as they can secure. They give from four to five glasses of whisky for a bundle of cotton which is worth a dollar, and in this way many of them are making fortunes. The amount of loss to the planter cannot fail to reach as high as one-fifth per cent [20 per cent] of his entire crop. Most of the business of the "dead-falls" is done at night, and owing to the large tract of land which is covered with cotton it is almost impossible for the planters to throw any safeguard around their property.

Last winter [1873] a bill was introduced in the legislature which had for its object the breaking up of these stores. It provided that wherever a shop was situated outside of the corporate limits of the cities the proprietor should keep an account of all articles brought to him for sale, the price paid for them, and the name of the seller. The passage of this bill was asked for by the best men in the State, but the so-called republican majority in the house denounced it as class legislation, the negroes were all opposed to it, and it was defeated, only two members of the assembly voting in favor of it. This harvest the "dead-fall" keepers are more numerous than ever before, and the loss of the farmer is proportionately great. One gentleman who lives near Snowden, this county, assures me that there has been no less than five bales of cotton stolen from him since he began picking. Other farmers make similar statements. . .

I was told in Montgomery lately that a keeper of one of these dirty dead-falls at the opening of the cotton season came within a few hours of having the first bale of cotton in market!

Thirty, forty and fifty bales of cotton in a season is a small crop for one of these one-horse doggeries, and I have heard, upon what I regarded as good authority, that one, within a short distance of this place, made eighty-three bales of cotton in one season, besides innumerable loads of corn and other produce.

A Northern Estimate of Negro Industry

Charles Nordhoff, *The Cotton States in 1875*, pp. 21, 107. Nordhoff traveled through Arkansas, Louisiana, Mississippi, Alabama, Georgia, and North Carolina. He was correspondent of the *New York Herald*. [1875]

THE system of planting on shares, which prevails in most of the cotton regions I have seen, appears to me admirable in every respect.[1] It tends to make the laborer independent and self-helpful, by throwing him on his own resources. He gets the reward of his own skill and industry, and has the greatest motive to impel him to steadfast labor and self-denial.

I have satisfied myself, too, that the black man gets, wherever I have been, a fair share of the crop he makes. If anywhere he suffers wrong, it is at the hands of poor farmers, who cultivate a thin soil, and are themselves poor and generally ignorant. It is a curious evidence of the real security of the negro, even in the rudest parts of the South, that some thousands of them have emigrated from Alabama and Georgia into the Yazoo bottom in Mississippi, and into the cotton regions of Arkansas and Louisiana — parts of the South where, if we might believe the general reports which have been spread through the North, no negro's rights and life are safe.

The black laborer earns enough, but he does not save his money. In the heart of the cotton country, a negro depending on his own labor alone, with the help of his wife in the picking season, may live and have from seventy-five to one hundred and twenty-five dollars clear money in hand at the close of the season. If he has several half-grown boys to help him in the field, he may support his family during the year, and have from one hundred and seventy-five to two hundred dollars clear

1. Most economists consider it a bad system.

money at the year's end. Few laborers as ignorant as the average plantation negro can do as well anywhere in the world.

Conditions in 1876

John C. Reed. *The Old South and the New* (pamphlet). Used by permission of Mr. Reed. [1876]

THE great economical interest of the south is her agriculture; and in this industry, as well as among those who conduct it, a constant transition has been taking place during the ten years since emancipation. There is a melancholy change in the homes of landholders. . . The neat inclosures have fallen; the pleasant grounds and the flower-gardens . . are a waste. . . Change at home is accompanied by still greater change without. The negroes — and they constitute the great bulk of the laboring population — tend to become a tenantry, cultivating the land, in some instances, for a part of the produce, but oftener for a fixed sum of money. Many of these realize from their labors little more than enough to pay a moderate rent. Others work for wages, either in money or in some portion of the crop made by their labor. As the negroes are scarce, and their labor so important, they have often, directly or indirectly, a voice in the area of land cultivated, the mode of cultivation, and the kind of crop raised. The result, in many places, is retrogression. . . Only a small part of the land, as compared with that tilled before the war, is under cultivation, the remainder becomes wild. . . Nearly every man of average business ability could control his slaves . . with little trouble; but it now requires far more than ordinary capacity to find and keep good tenants, to employ laborers amid the present scarcity, and to retain and make them remunerative when employed. The freedman is a different character from his former slave self, and is to be governed by different methods; and the true art of managing him is cabalism to many who were prosperous planters before the war. Multitudes of these show great despondency, for there have been thousands of failures among them. . .

A new system is slowly developing, and can be plainly dis-

cerned among the rubbish of the old. The change from former days most noticeable now is the multiplication, increased energy, and continually growing trade of the smaller towns. This is due to the decay of planting, which was a wholesale system, and the coming-in of farming, which is a small trading system using much less concentrated capital. The large moneyed man, for evident economical reasons, buys in commercial centres — in cities — but the small purchaser must needs buy in the nearest market. Allowing for the great increase of farmers, and the control by the negroes of their earnings, there are many thousands more of small buyers in the south than there were before the war, and towns build up to sell to them.

There is another fact, not so noticeable as the rapidly growing local trade, but still more important. A class of new planters, consisting mainly of [white] men too young to have become fixed in the methods and habits of former days, is springing up. . . They have remodelled their domestic economy, accommodating it to their smaller incomes and to the uncertainty of household help. They have discarded the outside kitchen, have substituted the cooking stove for the old voracious fireplace, and have brought the well with a pump in it, instead of the old windlass and bucket, under the roof of the dwelling, so that the household duties may be more easily despatched by their wives and children. And they have also remodelled their planting. They diversify their crops and products, raising more grain, and introducing clover and new forage plants. Some abandon entirely the cultivation of the old slave crops, and supply the nearest towns with feed and provisions. These planters of the New South till less land, and strive to improve it; they study the superiority and economy of machinery; they provide themselves with better cotton-gins, often using steam to work them; they have presses which require fewer hands than the old packing-screw; better plows are used; and harrows, reapers, and mowers, which, in many parts of the south, were seldom known before the war, are now common. . . They struggle with a new order of things, having to think for them-

selves at every turn, and often misstep and fall in the dark, but they pick themselves up, and find the way again.

Cotton Production by Whites and Blacks

E. A. Smith, *Report on Cotton Production of the State of Alabama* (census of 1880). It shows the relation between race and location and cotton production. The tendencies here outlined are the reverse of those prevailing before 1860 and have continued. [1880]

THE *central cotton belt* is generally a region of large farms or plantations, in which the laborers are chiefly negroes, as seen in the tables. As a rule, these laborers do not own the land, have no interest in it beyond getting a crop from a portion of it, which they rent either for a sum of money or for a share of the crop, and are not interested in keeping up the fertility, at least not to the extent of being led to make any attempt at the permanent improvement of the same. In the case of the owner of the land, while the conditions are different, the result is the same. He is, of course, interested in the improvement of his land; but to supply the fertilizers for a large plantation, when he cultivates it by hired labor, would cost more than he usually has to expend, and where the share system, or that of renting, prevails he is still further removed from personal care of the land; and thus from all causes there is an exhaustive cultivation of the land, without any attempt at maintenance or restoration of its lost fertility.

In addition to these, the system of advances or credit, so prevalent throughout the cotton-producing parts of the state, is not without its evil influence, for the laborer, and too often the owner of the land, is obliged to get advances of provisions from their merchants, for the payment of which the crop is mortgaged; and as cotton is the only crop which will always bring ready money, its planting is usually insisted on by the merchants making the advances and selected by the farmer as a means of providing for payment. In this way cotton comes to be the paramount crop, and there is little chance for rotation with other things. . .

In the other agricultural regions of the state, and in most of the counties also of the Tennessee and Coosa valleys, the farms

are, as a rule, small, and cultivated by their owners, with the assistance of such labor as may be hired from time to time. In all these cases provisions are produced on the farm, and cotton is planted as a secondary crop. There is thus some chance for selection of the soils and for rotation of crops; and when a man cultivates his own farm fertilizers are in more general use, so that with the soils naturally much inferior to those of the main cotton-producing regions the average per acre is much higher in these regions of small cultivation. . .

To recapitulate, the following conclusions seem, therefore, to be plainly taught by the discussion of the data contained in the tables presented: . .

1. That where the blacks are in excess of the whites there are the originally most fertile lands of the state. The natural advantages of the soils are, however, more than counterbalanced by the bad system prevailing in such sections, viz., large farms rented out in patches to laborers who are too poor and too much in debt to merchants to have any interest in keeping up the fertility of the soil, or rather the ability to keep it up, with the natural consequences of its rapid exhaustion and a product per acre on these, the best lands of the state, lower than that which is realized from the very poorest.

2. Where the two races are in nearly equal proportions, or where the whites are in only slight excess over the blacks, as is the case in all the sections where the soils are of average fertility, there is found the system of small farms worked generally by the owners, a consequently better cultivation, a more general use of commercial fertilizers, a correspondingly high product per acre, and a partial maintenance of the fertility of the soils.

3. Where the whites are greatly in excess of the blacks (three to one and above), the soils are almost certain to be below the average in fertility, and the product per acre is low from this cause, notwithstanding the redeeming influences of a comparatively rational system of cultivation.

4. The exceptions to these general rules are nearly always due to local causes, which are not far to seek, and which afford generally a satisfactory explanation of the discrepancies.

XII

THE KU KLUX MOVEMENT

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INTRODUCTION

THE Ku Klux Movement is the term applied to that mode of opposition to Reconstruction that took the form of secret revolutionary societies. The causes of this movement lay in the disordered conditions, political, social and industrial, that prevailed in the South from the surrender of the Confederate armies until the whites were again in control of the state and local governments.

There were scores, perhaps hundreds, of secret protective and revolutionary societies in the South, ranging from small bodies of neighborhood police which were common in 1865 and 1866, to great federated orders like the White Camelia covering the entire South and even extending into the North and West. All of these orders, regardless of their original purposes, were finally found opposing the Reconstructionists. The largest and best known of them were the Ku Klux Klan or the Invisible Empire, the Knights of the White Camelia, the Constitutional Union Guards, the Pale Faces, the White Brotherhood, the Council of Safety, and the '76 Association. After about 1872 most of these orders threw off disguise and appeared openly as the armed whites fighting for control of society. The White League of Louisiana, the White Line of Mississippi, and the Rifle Clubs of South Carolina were of this later manifestation of the Ku Klux Movement.

Some of the purposes of the secret organizations can be ascertained from their constitutional documents, but the real purposes varied with the locality. Some local sub-

divisions were purely protective and were intended only to check the excesses of the blacks; others sought to drive out ignorant, corrupt or violent officials; others acted as regulators of the morals of the public; while in white communities the object was sometimes to keep the negroes from coming in or to drive from the fertile lands the blacks whom slavery had placed there. The most effective work was done in the early period, 1868-1870, by playing upon the superstitious fears of the negroes, thus paralyzing at its source the power of the Radicals. It was in this period that the orders made use of the fantastic disguises and ludicrous methods that later lost their effectiveness and were discarded. The Reconstruction governments naturally sought to crush the orders and stringent statutes were enacted which were seldom enforced because the states were too weak. In 1871 and 1872 the Enforcement laws passed by Congress were directed at the Ku Klux Movement, and while they checked it somewhat and changed its direction, they probably assisted it by causing all disguise to be thrown off and by crushing the outlaws who through use of Ku Klux methods had brought the orders into discredit.

The first results of the movement were good; the later ones were both good and bad. The early work of the secret orders quieted the negroes, made life and property safer, gave protection to women, stopped burnings, forced the Radical leaders to be more moderate, made the negroes work better, drove the worst of the Radical leaders from the country and started the whites on the way to regain political supremacy. The evil results were those that always follow such movements: the lawless element inside and outside made use of the organizations as a cloak to cover their misdeeds, until former members united to crush the remnants of the orders; since the law

was bad and the people went outside of it for means of protection and regulation the result was the weakening of respect for law and a disposition to settle affairs without recourse to legal methods.

The movement lasted under one form or another until the close of Reconstruction, and the lynching habits of today are due largely to conditions, social and legal, growing out of Reconstruction.

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1. CAUSES OF THE KU KLUX MOVEMENT

Conditions in Alabama

Ku Klux Report, Alabama testimony (see index). Statements of (1) Governor R. B. Lindsay, (2) General J. H. Clanton, (3) General (now Senator) Pettus, (4) J. H. Speed, scalawag superintendent of education, (5) S. F. Rice, scalawag leader, (6) L. W. Day, Federal official, Northern man. [1871]

[1] THE origin, as it is generally understood, the prime moving cause of the existence of the Ku-Klux, was the result of Union Leagues. Union Leagues were organized in every little hamlet and town throughout North Alabama, composed principally of colored men, with a sprinkling of whites. Those Union Leagues were supposed . . to have not only a political object, but to a certain extent an object of crime; that they were banded together for the purpose of committing depredations upon the whites. . . During the process of reconstruction there were no courts in the State of Alabama, either competent or active in the administration of the laws. Everything to a certain extent was chaotic, every man and every part of society were entirely at sea. And this band of Ku-Klux was said to have been organized to counteract the objects and acts of the Union Leagues, and to punish crime where the laws failed to administer justice. . . Unfortunately, under the reconstruction measures in Alabama, we had placed in power a great many incompetent officers, men who were not capable of discharging the functions either of judge or prosecuting attorney; men who were totally unfit either by their moral or their mental character to administer the laws.

[2] There is not a respectable white woman in the Negro Belt of Alabama who will trust herself hardly outside of her house without some protector. . .

So far as our State government is concerned, we are in the hands of camp-followers, horse-holders, cooks, bottle-washers, and thieves. . . We have passed out from the hands of the brave soldiers who overcame us, and are turned to the tender mercies of squaws for torture. . . I see negro police — great

black fellows — leading white girls around the streets of Montgomery, and locking them up in jail.

[3] The chief cause of irritation there is a principle which has run through the legislation of the Government since the termination of the war, by which it is asserted or claimed that we are an inferior, degraded people, and not fit to be trusted. . .

One of the main things of which we complain and have always complained is the breach of the contract made by the soldiers in the field. I have what I call a contract — an individual one with myself — made by General Sherman in the name of the Government of the United States, in which I was required to conduct myself after that time in obedience to the laws, and was promised that I should not be disturbed in any way if I did so. The soldiers went home, and as a body have been . . obedient to the laws of the United States. . . We have been denied the benefits of that contract, which was made when we had arms in our hands.

[4] Great bitterness was engendered among the white people by the disfranchisement of their representative men; and I think that that bitterness was greater toward the negro after his enfranchisement than it would have been if there had been no disfranchisement of the whites. I think that this was the commencement of the trouble. The beginning of bitterness in our country was the disfranchisement of the whites; and out of that grew, in a great measure, their opposition to this movement of reconstruction. This, coupled with negro suffrage, was the origin of the difficulty. The white people in our country, though they may accept what is known as the "new departure," are at heart unalterably opposed, in my opinion, to negro suffrage.

[5] I think it is caused by this long continued indulgence of passions, accompanied by a conviction that the southern people are the most grossly wronged and outraged people on the face of the earth. That is the honest belief of the white people generally. It is this feeling, doubtless, that makes them so bitter, especially towards a man like myself. I was a nullifier;

a States-rights man out and out. I entertained extreme Southern views until I became a republican.

[6] There have been difficulties arising out of horse-thieving, personal violence offered to parties without reference to their political status, . . and in some cases homicides have resulted from the efforts of the citizens, acting in behalf of order, to prevent that lawlessness. For instance, in Limestone, my information, . . is that they have had several homicides there; but I think the large majority have resulted from acts of a posse of citizens in their attempts to disperse a band of men whose organization was based upon a desire for thieving and plunder.

Why the Klan Was Formed in North Carolina

Ku Klux Report, North Carolina testimony, pp. 8, 247, 309, 310, 318, 363. Extracts from the statements of Conservatives who asserted that the conditions described caused the formation of the Klan. [1871]

I THINK there were five persons hung in the county [Orange]; three were hung for burning barns; another was hung for having threatened to ravish a girl; I never heard why the other one was hung. . .

The poorer classes in the community, women who carry blackberries, cherries, eggs, butter, and things of that sort to town to sell, were afraid to go to town by themselves; they would only go when they could form large companies for mutual protection. Formerly . . they could go singly just when they were ready. But just about that time they were afraid to go to town alone for fear of being insulted or ravished by negroes. . .

The cause of the troubles in the whole southern country is bad government. . . I am fortified in that belief by the fact that up to the time that these governments and State constitutions so obnoxious to the people of that country were imposed upon them, nothing of this sort was occurring. From the close of the war up to 1867, affairs were perfectly quiet in the South; there were no occurrences of this kind. I attribute the

whole thing to bad government, corrupt and incompetent officials, and bad advice to the ignorant negro population. . .

In the county of Gaston, adjoining my own county, there were, a year and a half ago, as I have been told by Governor Vance, of our State, eleven barns burned within sight of the village of Dallas, the county seat of that county. . .

There is no necessity on the part of the higher and more intelligent classes for that jealousy toward the negroes which exists between the poor white and the negro; but there is a feeling among the poorer classes of the white men that they and the country would be a great deal better off if the negroes were entirely out of the country; and they would unanimously vote for colonizing them, or anything else to get them away, simply because they believe and declare that they and their families are the sufferers. As to the commission of rapes and things of that kind, the wealthy and more intelligent classes do not, of course, feel under the same danger as do the poorer classes of white people in the country. It is only among the poorer classes of white people, as far as I have been able to learn, that any jealousy or hatred toward the negro race is entertained. . .

I do think that the common white people of the country are at times very much enraged against the negro population. They think that this universal political and civil equality will finally bring about social equality; there are already instances in the county of Cleveland in which poor white girls are having negro children. Such things as these are widening the breach between those two classes of our population. The white laboring people feel that it is not safe for them to be thus working in close contact with the negroes. . .

It was at a time when the republican party had three secret organizations in operation in the State, the Union League, the Heroes of America, and the Red Strings. They had a paper called the Red String, printed at Greensborough, edited by Mr. Tourgee. Our friends thought it was proper to organize a secret society for the purpose of counteracting that influence.

Dissatisfaction in South Carolina

Ku Klux Report, South Carolina testimony, p. 446 *et seq.* Statement of James Chesnut, formerly U. S. Senator from South Carolina.

[1871]

THERE is a deep dissatisfaction . . in the hearts of the people of this State. . . The government of this State, has been very bad. . . The people having been accustomed heretofore to a well-ordered civil government, and . . to self-government, suddenly found themselves in a condition where their whole system, social and political, was subverted, and this government put over them and exercised without intelligence and without integrity. . . That is the main cause which has produced that discontent in the State. . . I think that politics is not the basis at all of these organizations. My attention was first attracted to that shortly after the arming of the militia of this State, and a large number of instances of the burning of barns and dwellings, gin-houses and stables, etc., in the country. Then followed the arming of the . . colored militia . . the white people were not armed, and in the main were excluded from organization. . . They then commenced this thing, and it went on increasing. . .

Three hundred thousand white people here around us, who had been accustomed to self-government, who had had an orderly government and had participated in that government, whose property had been taxed only by those who paid the taxes, beheld the whole thing suddenly subverted and themselves placed at the mercy of ignorance and of corruption, foreign, and domestic. These people are under an absolute despotism, and you will find that the countries where governments are most despotic are precisely those in which secret associations appear; associations of parties . . seeking redress for real or fancied wrongs which they think cannot be avenged through the government. That is the true secret of all this thing. It arises from the government of . . South Carolina. It does not belong to our country more than any other, but precisely as you approach despotic power in a government you find these parties forming associations.

An Englishman's Statement of the Causes

Somers, *Southern States*, p. 153. Somers traveled through the Southern states in 1870 and 1871. [1871]

THE white people in the South at the close of the war were alarmed, not so much by the threatened confiscation of their property by the Federal Government, as by . . more present dangers of life and property, virtue and honour, arising from the social anarchy around them. The negroes . . were disorderly. Many of them would not settle down to labour on any terms, but roamed about with arms in their hands and hunger in their bellies, and the governing power, with the usual blind determination of a victorious party, was thinking only all the while of every device of suffrage and reconstruction by which "the freedmen" might be strengthened and made, under Northern dictation, the ruling power in the country. Agitators of the loosest fiber came down among the towns and plantations, and, organizing a Union league, held midnight meetings with the negroes in the woods, and went about uttering sentiments which, to say the least, in all the circumstances were anti-social and destructive. Crimes and outrages increased. The law, which must be always more or less weak in thinly populated countries, was all but powerless; and the new Governments in the South, . . were . . unable to repress disorder, or to spread a general sense of security throughout the community. A real terror reigned for a time among the white people; and in this situation the "Ku-Klux" started into being. It was one of those secret organizations which spring up in disordered states of society, when the bonds of law and government are all but dissolved, and when no confidence is felt in the regular administration of justice. But the power with which the "Ku-Klux" moved in many parts of the South, the knowledge it displayed of all that was going on, the fidelity with which its secret was kept, and the conplacency with which it was regarded by the general community, gave this mysterious body a prominence and importance seldom attained by such illegal and deplorable associations. Nearly every respectable man in the Southern States was not only disfranchised, but un-

der fear of arrest or confiscation; the old foundations of authority were utterly razed before any new ones had yet been laid, and in the dark and benighted interval the remains of the Confederate armies — swept, after a long and heroic day of fair fight, from the field — flitted before the eyes of the people in this weird and midnight shape of a "Ku-Klux-Klan."

Stealing and Race Prejudice

Ku Klux Report, South Carolina testimony, p. 797. Statement of Simpson Bobo, planter and iron worker. [1871]

THEY take up a negro whom they know has been guilty of stealing, and make him state all that he knows about others stealing. . . Some thirty miles from here, the neighbors were losing their cotton last fall. . . The negroes would go into the field at night and carry it off. They caught one negro at it. They told him nothing about it, and a few neighbors put on disguises and went and took up that fellow. Well, the negroes had an impression at first that they were ghosts. . . They took him up, and asked him if he could tell what he was taken up for. . . They insisted upon his giving out what they had taken him up for. He says: "I guess you have got me here for stealing Massa Jones's cotton." . . They said yes, that was it. They said, "Have you stolen anything else? Do you know of anybody who has stolen?" And if they did not know of anything else . . they said to him, "Now, we are going to whip you for that; but if you go home, and go to work, we will have no more trouble with you." They whipped him and turned him loose; and a day or two afterward they took up another. . . The moment they took this man up, he said it was for the killing of such a man's pig. So it was with several others that they called on and caught up, and they say it has cured the neighborhood of stealing. That is a sample of a great many cases of the kind that have occurred. Another sample I will give you is of this sort: The lower class of white people . . have a great prejudice against the negro, because he is a competitor for common labor, and wherever they come into collision, those fellows form themselves into a Klan, and take up negroes that

come in their way, and punish them. . . For instance, a white man rents a tract of land to a negro. Some white man wants to get the land. The owner prefers giving it to the negro. For the purpose of punishing the negro, he [some white renter] will then get up a parcel of neighbors, and in disguise they will go and whip the negro half to death.

Desire to Get Rid of the Negro

Ku Klux Report, Alabama testimony, pp. 1175, 1757. Statements of (1) General S. W. Crawford, United States Army, and (2) Judge W. S. Mudd, Conservative. [1871]

[1] It is a class of white men, not possessed of wealth or real estate, that exists in Alabama, many of them in the mountains, that is hostile to the negro. Those people see him on the rich lands and possessed of political privileges which increases the old jealousy, and they know that if they can get rid of the negro, have him colonized for instance, it will be better for them both on the point of association and the division of political rights.

[2] In some sections of the State there is a feeling of personal hostility to the negro; and in some portions of my circuit they will not let a negro live; that is, it is a white population; and they do not want to come in contact with the negro. They want to cultivate the lands themselves, and they want to have an exclusively white society. . .

In one of the precincts of my county, all the people of which voted the republican ticket for President, I ascertained a short time ago . . that the Ku-Klux had formed an organization there, consisting entirely of boys and young men. . . There have been no black men in that county, except a few . . and they have been made to leave it. . .

There is scarcely any county in the State where there is not the landholder, who was formerly a large slaveholder, and who desires to retain this [negro] labor in the country to cultivate the land; and these poorer classes, who never owned slaves or had much property, and who would much prefer to have the negro out of the country.

A Scalawag's Opinion of the Causes

Ku Klux Report, Alabama testimony, p. 527, *et seq.* Statement of J. A. Minnis, Federal official. [1871]

THE fourteenth amendment . . made the negroes citizens, effectually changed this whole status of his situation, and . . aroused all prejudices and hostility of the southern people. . . The third section . . disqualifying a large class of white men, and many of them the best men in the State . . while at the time when it was adopted in Alabama negroes were eligible to office, greatly intensified the bitterness, and . . in the minds of some who otherwise might have been induced to sustain the Government in its reconstruction policy, created such a prejudice that they became indifferent or opposed to it. The reconstruction measures of Congress were regarded by the great body of the white people of the South as usurpations, unconstitutional, and void, and all who sustained them were most bitterly denounced as enemies to the people. These measures, conferring on the negroes the rights of citizens, under these acts even the right to vote in reconstructing the State, met all the prejudice, bitter hostility, and denunciations that could well be entertained by any people, and every prejudice and passion was appealed to to bring them into odium and contempt, and defeat, if possible, their operation. . . Congress admitted the State of Alabama under this constitution,[1] they regarded it as a violation of the plighted faith of Congress; and while hostility and opposition to the principles of the newly constructed State were already as strong as human nature was capable of entertaining, this greatly added fuel to the smothered fire of opposition, and it broke out in volcanic flames of denunciation, that appealed to all the prejudices of race passions of hate, that it was possible to be entertained by a brave and chivalrous people. The whole reconstruction policy was denounced as a tyrannical usurpation, the government as a usurped negro government, and every officer as a mean, tyrannical usurper — a Government that placed negroes over and made white men subject to negro rule. This led to a bitterness, to social and business ostracism and

1. The constitution had not been legally adopted.

proscription, to outrages of person, to whippings, lynchings, murders, and assassinations of persons who favored the Government, and especially to negroes who set up to enjoy the rights thus conferred, the one-half of which, in my opinion, never has and probably never will be told, a great deal of which was done by disguised bands; and while, in my opinion, a comparatively few were actually engaged in these acts, such were the hostility and hatred of the great mass that they felt but little disposition to actively intervene to prevent similar outrages or to punish those who did commit. . . When the war was over, the Southern people had no idea, while they expected slavery to be abolished, that their slaves were to be made their political equals. . . My opinion is that the great mass felt as I believe any other good, brave and chivalrous people feeling and believing as they did would have felt . . the great mass of the people are as good as any other people.

Violation of the Appomattox Programme

Ku Klux Report, Georgia testimony, p. 316, *et seq.* Statement of General John B. Gordon, head of the Klan in Georgia. This point was repeatedly brought up by the soldiers who testified. [1871]

I KNOW that the general feeling at the North is that our people are hostile toward the Government of the United States. . . Commanding as I did, Jackson's corps of the Confederate army, for some time before the surrender, and at the time of the surrender one wing of that army, I know very well that if the programme which our people saw set on foot at Appomattox Court-House had been carried out — if our people had been met in the spirit which we believe existed there among the officers and soldiers, from General Grant down — we would have had no disturbance in the South. . . I know it was generally felt that there was shown toward the officers and men who surrendered at Appomattox Court-House a degree of courtesy . . which was surprising and gratifying, and which produced at the time a very fine effect. I want to say, moreover, that the alienation of our people from the Government — an alienation which, resulting from the war, continued to some

extent immediately after the war — has been increased since that time, by the course which our people believe has been wrongfully pursued toward them. Whether right or wrong, it is the impression of the southern mind — it is the conviction of my own mind, . . that we have not been met in the proper spirit. We, in Georgia, do not believe that we have been allowed proper credit for our honesty of purpose. We believe that if our people had been trusted, as we thought we ought to have been trusted — if we had been treated in the spirit which . . was manifested on the Federal side at Appomattox Court-House — . . if this had been the spirit in which we had been treated, the alienation would have been cured. . .

The people of the South appreciate, I think, very fully and very justly the conduct of General Grant in protecting . . the soldiers who surrendered there, when there was all this talk about punishing for "treason," &c.; but I think that the bad faith was in this: The conduct of the Federal army, officers and soldiers, from General Grant down, at Appomattox Court-House, led our people to feel that a liberal, generous, magnanimous policy would be pursued toward them. They felt that they were at liberty to construe that conduct into a pledge, as it were; and as the sort of policy which that conduct apparently pledged has not been pursued towards us — as the policy has been one of distrust instead of liberality and magnanimity, our people feel that the faith which was pledged to them has been violated. . . We do not claim that we had any written pledge from General Grant and his army, any further than that we should not be disturbed, so long as we obeyed the laws.

We felt there was a moral obligation arising from the circumstances . .; we had no written pledge except that contained in our paroles; and we think that that written pledge itself has been broken in the fact that we have been deprived of rights which we had inherited. . . In that particular our people feel that the Government has not kept faith with us. We have been disfranchised.

General Forrest's Explanations

Ku Klux Report, vol. xiii, pp. 6-32. General Forrest was head of the Klan after 1868. The first extract is from a newspaper interview in 1868 which Forrest claimed was not correct; the second is from his testimony in 1871. [1868, 1871]

[1] It is true that I have never recognized the present government in Tennessee as having any legal existence, yet I was willing to submit to it for a time, with the hope that the wrongs might be righted peaceably. . .

I loved the old government in 1861; I love the old Constitution yet. I think it the best government in the world if administered as it was before the war. I do not hate it; I am opposing now only the radical revolutionists who are trying to destroy it. I believe that party to be composed, as I know it is in Tennessee, of the worst men on God's earth — men who would hesitate at no crime, and who have only one object in view, to enrich themselves. . . If the militia were simply called out, and do not interfere with or molest any one, I do not think there will be any fight. If, on the contrary, they do what I believe they will do, commit outrages, or even one outrage, upon the people, they and Mr. Brownlow's government will be swept out of existence; not a radical will be left alive. If the militia are called out, we can not but look upon it as a declaration of war, because Mr. Brownlow has already issued his proclamation directing them to shoot down the Ku-Klux wherever they find them; and he calls all southern men Ku-Klux. . . There is such an organization, not only in Tennessee but all over the South, and its numbers have not been exaggerated. . . In Tennessee there are over forty thousand; in all the Southern States about five hundred and fifty thousand men. . . It is a protective, political, military organization. . . The members are sworn to recognize the government of the United States. It does not say anything at all about the government of the State of Tennessee. Its objects originally were protection against the Loyal Leagues and the Grand Army of the Republic; but after it became general it was found that political matters and interests could best be promoted within it, and it was then made a political organization, giving its support . . to the democratic party. . . I

have no powder to burn killing negroes. I intend to kill the radicals. . . There is not a radical leader in this town [Memphis] but is a marked man; and if a trouble should break out, not one of them would be left alive. I have told them that they were trying to create a disturbance, and then slip out and leave the consequences to fall upon the negro. . . Their houses are picketed, and when the fight comes not one of them would ever get out of this town alive. . . If the militia attack us, we will resist to the last; and, if necessary, I think I could raise 40,000 men in five days ready for the field. . . Since its organization the leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces and rode over the country frightening negroes; but orders have been issued to stop that, and it has ceased. You may say further that three members of the Ku-Klux have been court-martialed and shot for violations of the orders not to disturb or molest people. . . There is a limit beyond which men can not be driven, and I am ready to die sooner than sacrifice my honor. This thing must have an end, and it is now about time for that end to come.

[2] They [the Ku Klux orders] were like the Loyal Leagues, and met occasionally and dispersed again. The Loyal Leagues existed about that time, and I think this was a sort of offset gotten up against the Loyal Leagues. . . I think that organization arose about the time the militia were called out, and Governor Brownlow issued his proclamation stating that the troops would not be injured for what they should do to the rebels; such a proclamation was issued. . . There were a great many northern men coming down there, forming leagues all over the country. The negroes were holding night meetings; were going about; were becoming very insolent, and the southern people all over the State were very much alarmed. I think many of the organizations did not have any name; parties organized themselves so as to be ready in case they were attacked. Ladies were ravished by some of these negroes, who were tried and put in the penitentiary, but were turned out in a few days afterward. There was a great deal of insecurity in

the country, and I think this organization was got up to protect the weak. . . I was getting at that time [1867-68] from fifty to one hundred letters a day and had a private secretary writing all the time. I was receiving letters from all the Southern States, men complaining, being dissatisfied, persons whose friends had been killed, or their families insulted, and they were writing to me to know what they ought to do. . . I think this organization was more in the neighborhood of places where there was danger of persons being molested, or in large negro counties, where they were fearful that the negroes would rise up. . . I do not think it existed at all in the poorer neighborhoods, where there was no danger of insurrection. There were a great many fires at that time, burning of gin-houses, mills, &c.)

"The Whites Must and Shall Rule"

House Misc. Doc. no. 154, 41 Cong., 2 Sess., p. 321. This extract from an address of Colonel Alcibiade de Blanc is important since the writer was the Grand Commander of the Knights of the White Camelia in Louisiana. [November 30, 1868]

We had hardly parted with our muskets when we heard the harsh voice of poltroons and speculators, who had kept hidden during the war, and that voice proclaimed . . that we were out of the Union; and that we could re-enter it but on their own terms — and what are they? That we should renounce the rights appertaining to our race, and forever submit to the domination of liberated slaves; that we should consent, not only to be degraded, but to degrade ourselves. . . Had the acceptance, on our part, of negro suffrage and negro supremacy been announced as a condition to the acceptance of our surrender. . . we would have fallen and been buried in the confederate uniform.

The seeds of the most vindictive hostility have been sown in the hearts of the black race. They have been taught to disregard the rights of property, to violate their contracts with us. They have been told that we intend to reduce them back to slavery, and instructed to procure and keep power and lead to slaughter us. What were, in this locality, the counsels imparted by their leaders? . . "If you are not rich enough to buy a

gun or a knife, you rich enough to buy a box of matches, and, with those matches, you can destroy in a few minutes what the whites have labored forty years to win." What were the instructions everywhere given and to be followed by the freedmen, in case a difficulty should occur between them and the whites? "Your wives will remain at your employer's house and kill the women and children. As to you, do not forget it, the order from the government is that you shall commence with the men and stop at the cradle."

We have witnessed the revolting spectacle of excited negroes riding through our streets and on the public roads with guns on their shoulders, revolvers and dirks hanging at their sides, matches in their hands, yelling, cursing, and threatening to shoot down and cut the throats of the whites, to destroy their property. . . There is not a locality in which the negroes have not perpetrated depredations, robberies, arson, rape, and murder, and, in every instance, they have been protected by the villains who have represented us as being ready to resist the laws and the authority of the land. If we have the audacity to defend our flesh against the dirk, and the gun, or defend our property against a firebrand — when the dirk, the gun, and the firebrand are held by a black hand — the oft-rehearsed cry, "the rebels are again in open resistance against the government," is thrown to the four winds of the heavens. That cry awakens every echo of the American Capitol, and alarms the tender and magnanimous heart of every loyalist. . .

We are ruined; every branch of industry is cramped and paralyzed; anxiety, trouble, scarcity, humiliations are at the threshold of every southern home; and a tax — an intolerable, a spoliating tax — threatens to despoil us of the remnants of our property and of the scant fruits of a discouraged and dying industry. It bears heavily on the mansions of the once wealthy and still more heavily on the dwelling of the poor; it spares not the humble cabin of the freedmen. . . Is it reasonable to expect that we will tamely submit to this plunder, this spoliation, and that we will kiss the hands of the robbers of our rights, the murderers of our States? . .

What do we ask? That the nest of the eagles be not surrendered to . . ravens and to the vultures; . . that the purity of the white race be not adulterated and lost; that ten proud and intelligent States be not converted into ten African provinces. This we ask, not as a favor, and on bended knees, but as a right.

2. THE DECLARATIONS OF THE SECRET ORDERS

Organization and Principles of the Ku Klux Klan

Revised and Amended Prescript of the Order of * * *. Extracts. The original Prescript adopted in 1867 provided for the organization, but had no declaration of principles. [1868]

Appellation

This Organization shall be styled and denominated, the Order of the * * *.

Creed

We, the Order of the * * *, reverentially acknowledge the majesty and supremacy of the Divine Being, and recognize the goodness and providence of the same. And we recognize our relation to the United States Government, the supremacy of the Constitution, the Constitutional Laws thereof, and the Union of States thereunder.

Character and Objects of the Order

This is an institution of Chivalry, Humanity, Mercy, and Patriotism; embodying in its genius and its principles all that is chivalric in conduct, noble in sentiment, generous in manhood, and patriotic in purpose; its peculiar objects being

First: To protect the weak, the innocent, and the defenseless, from the indignities, wrongs, and outrages of the lawless, the violent, and the brutal; to relieve the injured and oppressed; to succor the suffering and unfortunate, and especially the widows and orphans of Confederate soldiers.

Second: To protect and defend the Constitution of the United States, and all laws passed in conformity thereto, and to protect the States and the people thereof from all invasion from any source whatever.

Third: To aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure, and from trial except by their peers in conformity to the laws of the land.

Titles

Section 1. The officers of this Order shall consist of a Grand Wizard of the Empire, and his ten Genii; a Grand Dragon of the Realm, and his eight Hydras; a Grand Titan of the Dominion, and his six Furies; a Grand Giant of the Province, and his four Goblins; a Grand Cyclops of the Den, and his two Night-hawks; a Grand Magi, a Grand Monk, a Grand Scribe, a Grand Exchequer, a Grand Turk, and a Grand Sentinel.

Sec. 2. The body politic of this Order shall be known and designated as "Ghouls."

Territory and its Divisions

Section 1. The territory embraced within the jurisdiction of this Order shall be coterminous with the States of Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Missouri, Kentucky, and Tennessee; all combined constituting the Empire.

Sec. 2. The Empire shall be divided into four departments, the first to be styled the Realm, and coterminous with the boundaries of the several States; the second to be styled the Dominion and to be coterminous with such counties as the Grand Dragons of the several Realms may assign to the charge of the Grand Titan. The third to be styled the Province, and to be coterminous with the several counties; *provided,* the Grand Titan may, when he deems it necessary, assign two Grand Giants to one Province, prescribing, at the same time, the jurisdiction of each. The fourth department to be styled the Den, and shall embrace such part of a Province as the Grand Giant shall assign to the charge of a Grand Cyclops.

[Questions to be Asked Candidates]

1st. Have you ever been rejected, upon application for membership in the * * *, or have you ever been expelled from the same?

2d. Are you now, or have you ever been, a member of the Radical Republican party, or either of the organizations known

thirds vote of the grand Dragons of the Realms, in Convention assembled, and at which Convention the grand Wizard shall preside and be entitled to a vote. And upon the application of a majority of the grand Dragons, for that purpose, the grand Wizard shall appoint the time and place for said Convention; which, when assembled, shall proceed to make such modifications and amendment as it may think will advance the interest, enlarge the utility, and more thoroughly effectuate the purposes of the *.

INTERDICTION

ART. XII. The origin, designs, mysteries and ritual of this * shall never be written, but the same shall be communicated orally.

REGISTER.

I.	1st—Dismal.	7th—Dreadful.
	2nd—Dark.	8th—Terrible.
	3rd—Furious.	9th—Horrible.
	4th—Portentous.	10—Melancholy.
	5th—Wonderful.	11—Mournful.
	6th—Alarming.	12th—Dying.
II.	I—White.	IV—Black.
	II—Green.	V—Yellow.
	III—Blue.	VI—Crimson.
	VII—Purple.	
III.	1—Fearful.	7—Doleful.
	2—Startling.	8—Sorrowful.
	3—Awful.	9—Hideous.
	4—Woeful.	10—Frightful.
	5—Horrid.	11—Appalling.
	6—Bloody.	12—Last.

EDICTS.

I. The Initiation Fee of this * shall be one dollar, to be paid when the candidate is initiated and received into the *.

II. No member shall be allowed to take any intoxicating spirits to any meeting of the *. Nor shall any member be allowed to attend a meeting when intoxicated; and for every appearance at a meeting in such a condition, he shall be fined the

Cavendo tutus.

FACSIMILE OF PAGE FROM ORIGINAL PRESCRIPT OF KU KLUX KLAN

[*From copy in possession of the Editor*]

9. The most profound and rigid secrecy concerning any and everything that relates to the Order, shall at all times be maintained.

10. Any member who shall reveal or betray the secrets of this Order, shall suffer the extreme penalty of the law.

ADMONITION.

Hush! thou art not to utter what I am; bethink thee! it was our covenant!

REGISTER.

I.

1. Dismal,	7. Painful,
2. Mystic,	8. Portentous,
3. Stormy,	9. Fading,
4. Peculiar,	10. Melancholy,
5. Blooming,	11. Glorious,
6. Brilliant,	12. Gloomy.

II.

I. White, II. Green, III. Yellow, IV. Amber, V. Purple, VI. Crimson, VII. Emerald.

III.

1. Fearful,	7. Hideous,
2. Startling,	8. Frightful,
3. Wonderful	9. Awful,
4. Alarming,	10. Horrible,
5. Mournful,	11. Dreadful,
6. Appalling,	12. Last.

IV.

Cumberland.

L'ENVOI.

To the lovers of law and order, peace and justice, we send greeting; and to the shades of the venerated dead we affectionately dedicate the Order of the * * *

Resurgamus.

FACSIMILE OF PAGE FROM REVISED AND AMENDED PRESCRIPT OF KU KLUX KLAN

[*From copy in possession of the Editor*]

as the "Loyal League" and the "Grand Army of the Republic?"

3d. Are you opposed to the principles and policy of the Radical party, and to the Loyal League, and the Grand Army of the Republic, so far as you are informed of the character and purposes of those organizations?

4th. Did you belong to the Federal army during the late war, and fight against the South during the existence of the same?

5th. Are you opposed to negro equality, both social and political?

6th. Are you in favor of a white man's government in this country?

7th. Are you in favor of Constitutional liberty, and a Government of equitable laws instead of a Government of violence and oppression?

8th. Are you in favor of maintaining the Constitutional rights of the South?

9th. Are you in favor of the re-enfranchisement and emancipation of the white men of the South, and the restitution of the Southern people to all their rights, alike proprietary, civil, and political?

10th. Do you believe in the inalienable right of self-preservation of the people against the exercise of arbitrary and unlicensed power?)

The Knights of the White Camelia

Constitution and Ritual adopted 1869. Extracts. [1869]

Preamble

Whereas, Radical legislation is subversive of the principles of the Government of the United States, as originally adopted by our fathers:

And whereas, our safety and our prosperity depend on the preservation of those grand principles and believing that they can be peacefully maintained: Therefore, we adopt the following [constitution somewhat similar to that of the Klan].

[Questions Asked the Candidate]

1. Do you belong to the white race? Ans. — I do.

2. Did you ever marry any woman who did not, or does not, belong to the white race? Ans. — No.

3. Do you promise never to marry any woman but one who belongs to the white race? Ans. — I do.

4. Do you believe in the superiority of your race? Ans. — I do.

5. Will you promise never to vote for any one for any office of honor, profit or trust, who does not belong to your race? Ans. — I do.

6. Will you take a solemn oath never to abstain from casting your vote at any election in which a candidate of the negro race shall be opposed to a white man attached to your principles, unless or prevented by severe illness or any other physical disability? Ans. — I will.

7. Are you opposed to allowing the control of the political affairs of this country to go in whole or in part, into the hands of the African race, and will you do everything in your power to prevent it? A. — Yes.

8. Will you devote your intelligence, energy and influence to the furtherance and propagation of the principles of our Order? A. — I will.

9. Will you, under all circumstances, defend and protect persons of the white race in their lives, rights and property, against all encroachments or invasions from any inferior race, and especially the African? A. — Yes.

10. Are you willing to take an oath forever to cherish these grand principles, and to unite yourself with others who, like you, believing in their truth, have firmly bound themselves to stand by and defend them against all? Ans. — I am.

The C[ommander] shall then say: If you consent to join our Association, raise your right hand and I will administer to you the oath which we have all taken: . .

[Charge to Initiates]

Brothers: You have been initiated into one of the most

important Orders, which have ever been established on this continent: an Order, which, if its principles are faithfully observed and its objects diligently carried out, is destined to regenerate our unfortunate country and to relieve the White Race from the humiliating condition to which it has lately been reduced in this Republic. It is necessary, therefore, that before taking part in the labors of this Association, you should understand fully its principles and objects and the duties which devolve upon you as one of its members.

As you may have already gathered from the questions which were propounded to you, and which you have answered so satisfactorily, and from the clauses of the Oath which you have taken, our main and fundamental object is the MAINTENANCE OF THE SUPREMACY OF THE WHITE RACE in this Republic. History and physiology teach us that we belong to a race which nature has endowed with an evident superiority over all other races, and that the Maker, in thus elevating us above the common standard of human creation, has intended to give us over inferior races, a dominion from which no human laws can permanently derogate. The experience of ages demonstrates that, from the origin of the world, this dominion has always remained in the hands of the Caucasian Race; whilst all the other races have constantly occupied a subordinate and secondary position; a fact which triumphantly confirms this great law of nature. Powerful nations have succeeded each other on the face of the world, and have marked their passage by glorious and memorable deeds; and among those who have thus left on this globe indelible traces of their splendor and greatness, we find none but descended from the Caucasian stock. We see, on the contrary, that most of the countries inhabited by the other races have remained in a state of complete barbarity; whilst the small number of those who have advanced beyond this savage existence, have, for centuries, stagnated in a semi-barbarous condition of which there can be no progress or improvement. And it is a remarkable fact that as a race of men is more remote from the Caucasian and approaches nearer to the black

African, the more fatally that stamp of inferiority is affixed to its sons, and irrevocably dooms them to eternal imperfectibility and degradation.

Convinced that we are of these elements of natural ethics, we know, besides, that the government of our Republic was established by white men, for white men alone, and that it never was in the contemplation of its founders that it should fall into the hands of an inferior and degraded race. We hold, therefore, that any attempt to wrest from the white race the management of its affairs in order to transfer it to control of the black population, is an invasion of the sacred prerogatives vouchsafed to us by the Constitution, and a violation of the laws established by God himself; that such encroachments are subversive of the established institutions of our Republic, and that no individual of the white race can submit to them without humiliation and shame.

It, then, becomes our solemn duty, as white men, to resist strenuously and persistently those attempts against our natural and constitutional rights, and to do everything in our power in order to maintain, in this Republic, the supremacy of the Caucasian race, and restrain the black or African race to that condition of social and political inferiority for which God has destined it. This is the object for which our Order was instituted; and, in carrying it out, we intend to infringe no laws, to violate no rights, and to resort to no forcible means, except for purposes of legitimate and necessary defense.

As an essential condition of success, this Order proscribes absolutely all social equality between the races. If we were to admit persons of African race on the same level with ourselves, a state of personal relations would follow which would unavoidably lead to political equality; for it would be a virtual recognition of *status,* after which we could not consistently deny them an equal share in the administration of our public affairs. The man who is good enough to be our familiar companion, is good enough also to participate in our political government; and if we were to grant the one, there could

be no good reason for us not to concede the other of these two privileges.

There is another reason, Brothers, for which we condemn this social equality. Its toleration would soon be a fruitful source of intermarriages between individuals of the two races; and the result of this *miscegenation* would be gradual amalgamation and the production of a degenerate and bastard offspring, which would soon populate these States with a degraded and ignoble population, incapable of moral and intellectual development and unfitted to support a great and powerful country. We must maintain the purity of the white blood, if we would preserve for it that natural superiority with which God has ennobled it.

To avoid these evils, therefore, we take the obligation TO OBSERVE A MARKED DISTINCTION BETWEEN THE TWO RACES, not only in the relations of public affairs, but also in the more intimate dealings and intercourse of private life which, by the frequency of their occurrence, are more apt to have an influence on the attainment of the purposes of the Order.

Now that I have laid before you the objects of this Association, let me charge you specially in relation to one of your most important duties as one of its members. Our statutes make us bound to respect sedulously the rights of the colored inhabitants of this Republic, and in every instance, to give to them whatever lawfully belongs to them. It is an act of simple justice not to deny them any of the privileges to which they are legitimately entitled; and we cannot better show the inherent superiority of our race than by dealing with them in that spirit of firmness, liberality and impartiality which characterizes all superior organizations. Besides, it would be ungenerous for us to undertake to restrict them to the narrowest limits as to the exercise of certain rights, without conceding to them, at the same time, the fullest measure of those which we recognize as theirs; and a fair construction of a white man's duty towards them would be, not only to respect and observe

their acknowledged rights, but also to see that these are respected and observed by others.

From the brief explanation which I have just given you, you must have satisfied yourselves that our Association is not a political party, and has no connection with any of the organized parties of the day. Nor will it lend itself to the personal advancement of individuals, or listen to the cravings of any partisan spirit. It was organized in order to carry out certain great principles, from which it must never swerve by favoring private ambitions and political aspirations. These, as well as all sentiments of private enmity, animosity and other personal feelings, we must leave at the door before we enter this Council. You may meet here, congregated together, men who belong to all the political organizations which now divide, or may divide, this country; you see some whom embittered feuds and irreconcilable hatred have long and widely separated; they have all cast away these rankling feelings to unite cordially and zealously in the labors of our great undertaking. Let their example be to you a useful lesson of the disinterestedness and devotedness which should characterize our efforts for the success of our cause!

Initiation Oath of the White Brotherhood

Ku Klux Report, South Carolina testimony, p. 653. This version was given from memory by a former member. [1871]

You solemnly swear in the presence of Almighty God that you will never reveal the name of the person who initiated you; and that you will never reveal what is now about to come to your knowledge; and that you are not now a member of the Red String Order, Union League, Heroes of America, Grand Army of the Republic, or any other organization whose aim and intention is to destroy the rights of the South, or of the States, or of the people, or to elevate the negro to a political equality with yourself; and that you are opposed to all such principles: So help you God.

The '76 Association

Constitution of the '76 Association. A Louisiana organization. [1869]

PREAMBLE

To oppose by all peaceful and lawful means in our power, the usurpations of the Radical party.

To uphold the principles of the United States Constitution as established and interpreted by its framers.

To vindicate the history of the South from the malignant and systematic assaults and aspersions of the Press, Pulpits, and Politicians of the Radical party.

To place before the world the true position of the South during the recent war, and her conditions at the present time.

To form a nucleus around which the true men of the South may rally in contending for these great ends.

To promote the material interests of the South.

And, further, as an auxiliary to this association, to establish and maintain in the City of New Orleans, a newspaper which shall be devoted to the advancement, advocacy, and dissemination of the principles.

The Council of Safety

Ku Klux Report, South Carolina testimony, p. 102. Statement of E. W. Seibels, secretary of the Union Reform party. [1871]

WHAT led to it was this: the manner in which the people had become excited over the election [1870], the arming of the colored people, the insolent manner in which they conducted themselves at the election, the manner in which we had been counted out of the election, and the ballot-boxes had been stuffed. . . The people became so very much excited that we thought we were in imminent danger; we thought a war of races was very probable. Shortly after the election the executive committee of the Union Reform party was called together for consideration, and to that conference was invited a number of . . representative men — from the different portions of the State, to consult for the public good, and to consider what we could do to avert such an awful calamity as a war of races

would be. After a thorough discussion of the matter, . . considering that we were not allowed to organize, and not allowed to have any of the public arms, we thought it absolutely necessary that we should have some sort of organization for the protection of our families. A committee was appointed to draw up a plan of organization, which we believed would afford some sort of protection to the people in case there should be an outbreak. The committee produced what is called "the constitution of the council of safety." It was not submitted to the executive committee and the other gentlemen for several weeks after that. Contrary to our expectations the excitement passed off, the people became comparatively quiet, and not much interest was taken in our plan after we had got it up, because we believed that the crisis had passed, and that it was hardly worth while to organize at all. When the manuscript of that "council of safety" was read to me, I was very unwell at the time and suggested no amendments to it. It did not meet my approbation, inasmuch as I thought it was too complicated, that there was too much detail about it, and I did not think it would take on that account. It was published, however, and I sent it to a number of the counties.

Young Men's Democratic Club

Ku Klux Report, vol. xiii, p. 227. Statement of J. J. Williams of Florida, president of the club. This organization also existed in Virginia. [1871]

THE cause of this organization was this: After the election . . there were a great many frauds committed there at Tallahassee in respect to the ballot box; the white people, who in the county numbered about one to seven of the colored people, were not allowed to vote; were crowded out from the polls. The colored people were brought up there in squads of from eight to ten and fifteen deep, and from one to two hundred yards long, and it was really worth your life to go in there. In that state of affairs this organization was got up. . .

On the days of election . . I myself, as the chief, gave

instructions to the commanders of hundreds; they gave their instructions to commanders of fifties, and they to the commanders of tens; that on the day of election order must be maintained at all hazards. If a man belonging to the club appeared at the polls with secret arms he must be arrested and confined until the election was over; if he appeared there in liquor it was the same; and consequently we had perfect order at elections. . .

Before the war, years ago, we had here a very similar process; it never has been resorted to since, but that was twenty-five or thirty years ago. We had down in this country what was called regulators. Whenever they notified a man to leave he left. If it had not been for this organization, with the men at the head of it, we could not have been protected . . from the colored people, and from the men who were urging them on.

A Defensive Organization

Ku Klux Report, Alabama testimony, p. 1487. Statement of J. J. Garrett, Demopolis, Alabama. There were hundreds, perhaps, of orders like this one. [1871]

THERE were no oaths, that I remember, except a promise to obey the signals that would have called the parties together; they were to meet at the ringing of the bell; to meet armed, without disguises; a captain was elected. . . Threats were . . made to burn the town. We felt that it was incumbent upon us to protect the women and children of the town; to have an organization upon which we could rely. We did have an organization, and provision was made for its being armed, and for our meeting promptly with our arms at a certain place. We had officers. The purpose was the protection of property and lives, and the safety of the citizens of the place. We had no signal except the ringing of the bell, to get together.

The White League

House Report no. 101, 43 Cong., 2 Sess., part ii, pp. 194, 213. Extracts (1) from the Constitution of the Crescent City White League, and (2) from the Louisiana White League platform. [1874]

[1] THE object of this club is to assist in restoring an honest and intelligent government to the State of Louisiana; to drive incompetent and corrupt men from office; and by a union with all other good citizens, the better to maintain and defend the constitution of the United States, with all laws made in pursuance thereof; and to maintain and protect and enforce our rights, and the rights of all citizens thereunder.

[2] From the time that the right of suffrage was . . accorded too hastily to a race in the infancy of freedom, we firmly resolved that it was our duty, and a wise expediency, to accept the policy of the reconstruction laws in their full scope. We endeavored at once to address ourselves to the intelligence of the negro, to explain to him that slavery having been forever abolished, he, as a citizen possessing all the rights of white citizens, had the same interests, and the same duties as the white men. . . We invited him to our meetings, we called him to our platforms, we placed some of them upon our tickets. Election after election they turned a deaf ear to us; treated all our advances with distrust and suspicion; unhesitatingly followed the leadership of men whom they knew to be unworthy and dishonest, and, with scarcely an exception invariably voted like a body of trained soldiers obeying a word of command. We still hoped that time and experience would give them discretion. . . We thought that a right which they owed to the white race would not be persistently used by them to accomplish the ruin of the white men. In this hope we have been most grievously disappointed. . .

Any one who has been to their meetings, or overheard their private conversations, knows that they dream of the gradual exodus of the whites, which will leave Louisiana to their exclusive control, like another Hayti. The increasing spirit of caste founded on the most absurd inversion of the relations of race, shows itself in every form. Their incessant demands for of-

fices from the State, city, and Federal Government, for which they are unfit, and to which they have no title other than the color of their skins; the development in their conventions of a spirit of proscription against white radicals and even against honorable republicans who fought in the northern armies for their liberation; their increasing arrogance, which seems to know no bounds; their increasing dishonesty, which they regard as statesmanly virtue; their contemptuous scorn of all the rights of the white man which they dare to trespass upon, all these signs warn us that the calamity which we had long apprehended is now imminent, and that we must prepare for all its consequences. Disregarding all minor questions of principle or policy, and having solely in view the maintenance of our hereditary civilization and Christianity menaced by a stupid Africanization, we appeal to the men of our race, of whatever language or nationality, to unite with us against that supreme danger. A league of the whites is the inevitable result of that formidable, oath-bound, and blindly obedient league of the blacks, which, under the command of the most cunning and unscrupulous negroes in the State, may at any moment plunge us into a war of races. . . It is with some hope that a timely and proclaimed union of the whites as a race, and their efficient preparation for any emergency, may arrest the threatened horrors of a social war, and teach the blacks to beware of further insolence and aggression, that we call upon the men of our race to leave in abeyance all lesser considerations; to forget all differences of opinions and all race prejudices of the past, and with no object in view but the common good of both races, to unite with us in an earnest effort to re-establish a white man's government in the city and the State.

3. THE METHODS AND WORK OF THE SECRET ORDERS

"Regulators, Jayhawkers, Black-horse Cavalry"

Senate Ex. Doc. no. 6, 39 Cong., 2 Sess., p. 55. From report of Gen. Davis Tillson, head of Freedmen's Bureau in Georgia. These were early organizations. [November 1, 1866]

BANDS of men styling themselves "Regulators," "Jayhawkers," and "Black-horse cavalry," have infested different parts of the State, committing the most fiendish and diabolical outrages on the freedmen. I am unaware of a single instance in which one of these villains has been arrested and brought to trial by the civil authorities. . . I am led to believe that, in some instances, the civil authorities and well disposed citizens have been overawed by these organizations. In others, I fear the civil authorities have sympathized with them. Whenever they have neglected or refused to act, troops have been dispatched to arrest the guilty parties; but, as the outlaws are usually well mounted, have the sympathy of more or less of the inhabitants, are familiar with the country, and have numerous opportunities for concealment, they generally escape.

The Transformation of the Klan

Lester and Wilson, *Ku Klux Klan*, p. 34. Copyright 1884, 1905. Used by permission. Lester was one of the founders of the Klan, which began as a social club. [1866-1868]

THE prevalent idea was that the Klan contemplated some great and important mission. This idea aided in its rapid growth. And on the other hand the rapid extensions of the Klan confirmed this idea of its purposes. When admitted to membership this conclusion, in the case of many, was deepened rather than removed by what they saw and heard. There was not a word in the ritual or in the obligation or in any part of the ceremony to favor such a conclusion; but the impression still remained that this mysteriousness and secrecy, the high sounding titles of the officers, the grotesque dress of the members,

and the formidable obligation, all meant more than mere sport. This impression was ineradicable, and the attitude of many of the members continued to be that of expecting great developments. Each had his own speculations as to what was to be the character of the serious work which the Klan had to do. But they were satisfied that there was such work. It was an unhealthy and dangerous state of mind for men to be in; bad results in some cases very naturally followed from it.

The impression made by the Klan on the public was the second cause which contributed to its transformation into a band of Regulators. When the meetings first began to be held in the dilapidated house on the hill, passers-by were frequent. Most of them passed the grim and ghostly sentinel on the roadside in silence, but always with a quickened step. Occasionally one would stop and ask: "Who are you?" In awfully sepulchral tones, the invariable answer was: "A spirit from the other world. I was killed at Chickamaugua." Such an answer, especially when given to a superstitious negro, was extremely terrifying. . . There came from the country similar stories. The belated laborer, passing after nightfall, some lonely and secluded spot, heard horrible noises and saw fearful sights. These stories were repeated with such embellishments as the imagination of the narrator suggested, till the feeling of the negroes and of many of the white people, at mention of the Ku Klux Klan, was one of awe and terror.

In a short time the Lictor of the Pulaski "den" reported that travel along the road on which he had his post had almost entirely stopped. In the country it was noticed that the noctural perambulation of the colored population diminished, or entirely ceased wherever the Ku Klux appeared. In many ways there was a noticeable improvement in the habits of a large class who had hitherto been causing great annoyance. In this way the Klan gradually realized that the most powerful devices ever constructed for controlling the ignorant and superstitious were in their hands. . . Each week some new incident occurred to illustrate the amazing power of the unknown over the minds of men of all classes. Circumstances

made it evident that the measures and methods employed for sport might be effectually used to subserve the public welfare — to suppress lawlessness and protect property. When propositions to this effect began to be urged, there were many who hesitated, fearing danger. The majority regarded such fears as groundless. They pointed to the good results which had already been produced. The argument was forcible. . . The very force of circumstances had carried the Klan away from its original purpose. So that in the beginning of the summer of 1867 it was virtually, though not yet professedly, a band of regulators, honestly, but in an injudicious and dangerous way, trying to protect property and preserve peace and order. . .

But there were two causes of vexation and exasperation which the people were in no good mood to bear. One of these causes related to that class of men who, like scum, had been thrown to the surface in the great upheaval. . . The majority of the class . . had played traitor to both sides, and were Union men now only because that was the successful side. And worse than all they were now engaged in keeping alive discord and strife between the sections, as the only means of preventing themselves from sinking back into the obscurity from which they had been upheaved. Their conduct was malicious in the extreme and exceedingly exasperating. These men were "a thorn in the flesh" of the body, politic and social. . .

The second disturbing element was the negroes. . . They were not only unfitted for the cares of self-control, and maintenance so suddenly thrust upon them, but many of them entered their new role in life under the delusion that freedom meant license. They regarded themselves as freedmen, not only from bondage to their former masters, but from the common and ordinary obligations of citizenship. Many of them looked upon obedience to the laws of the State . . as in some measure a compromise of the rights with which they had been invested. The administration of civil law was only partially re-established. On that account, and for other reasons, there was an amount of disorder and violence prevailing over the

country which has never been equaled at any period of its history. If the officers of the law had had the disposition and ability to arrest all lawbreakers, a jail and court-house in every civil district would have been required.

The depredations in property by theft and by wanton destruction for the gratification of petty revenge, were to the last degree annoying. A large part of these depredations was the work of bad white men, who expected that their lawless deeds would be credited to the negroes. But perhaps the most potent of all causes which brought about this transformation was the existence in the South of a spurious and perverted form of the "Union League." . . It is a part of the history of those times that there was a widespread and desperately active organization called the "Union League." It was composed of the disorderly element of the negro population, and was led and controlled by white men of the basest and meanest type just now referred to. They met frequently, went armed to the teeth, and literally "breathed out threatening and slaughter." They not only uttered, but in many instances executed the most violent threats against the persons, families and property of men, whose sole crime was that they had been in the Confederate army. It can not be truthfully denied that the Ku Klux committed excesses and were charged with wrong doing. But they were never guilty of the disorderly and unprovoked deeds of deviltry, which mark the history of the Southern "Union League." It was partly, I may say chiefly, to resist this aggressive and belligerent organization that the Ku Klux transformed themselves into a protective organization.

Whatever may be the judgment of history, those who know the facts will ever remain firm in the conviction that the Ku Klux Klan was of immense service at this period of Southern history. Without it, in many sections of the South, life to decent people would not have been tolerable. It served a good purpose. Wherever the Ku Klux appeared the effect was salutary. For a while the robberies ceased. The lawless class assumed the habits of good behavior. The "Union League"

relaxed its desperate severity and became more moderate. Under their fear of the dreaded Ku Klux, the negroes made more progress, in a few months, in the needed lessons of self-control, industry, and respect for the rights of property and general good behavior, than they would have done in as many years, but for this or some equally powerful impulse.

Ku Klux Costume

Outrages in the Southern States, pp. 2, 9. Statement of Joseph W. Holden, son of Governor Holden. [1871]

THE costume is a long gown with loose flowing sleeves, with a hood, in which the apertures for the eyes, nose and mouth are trimmed with some red material. The hood has three horns, made out of some common cotton-stuff, in shape something like candy bags, stuffed, and wrapped with red strings, the horns standing out on the front and the sides of the hood. When a costume is worn by a person he is completely disguised by it. He does not speak in his natural tone of voice, and uses a mystical style of language, and is armed with a revolver, a knife, or a stick. In some instances where they have ridden through neighborhoods they have disguised their horses so that even they should not be recognized. . . It is a large loose gown, covering the whole person quite closely, buttoned close around and reaching from the head clear down to the floor, covering the feet and dragging on the ground. It is made of bleached linen, starched and ironed, and in the night, by moonlight, it glitters and rattles. Then there is a hood with holes cut in for eyes, and a nose, six or eight inches long, made of cotton cloth, stuffed with cotton, and lapped with red braid half an inch wide. The eyes are lined with the braid, and the eyebrows are made of the same. The cloth is lined with red flannel. Then there is a long tongue sticking out about six inches, made of red flannel also, and so fixed that it can be moved about by the man's tongue. Then in the mouth are large teeth that are very frightful. Then under the tongue is a leather bag placed inside, so that when the man calls for water he pours it inside the bag and not into his mouth at all.

KU KLUX COSTUMES IN NORTH CAROLINA

[*From engraving (after a photograph) in G. B. Raum's "The Existing Conflict," and used by permission. The original photograph was made in 1870 for J. G. Hester, deputy U. S. Marshal in North Carolina, who captured the disguises.*]

Spreading News of the Klan

House Misc. Doc. no. 154, 41 Cong., 2 Sess., p. 542, from the *Planters' Banner* (Louisiana), May 23, 1868. An example of the manner in which the Klan was reported by the Southern newspapers. [1868]

THERE is much excitement among the negroes and even some of the white folks, all over Attakapas, about the Ku-Kluxes that have lately appeared in this country. I am not superstitious, and will not tell you what I believe about these strange, ghostly appearances, but will give you some general items and rumors.

The negroes have entirely deserted one prairie in Attakapas since the election, having been run out by the Ku-Kluxes.

The negroes of Lafayette parish were lately nearly all of them preparing to leave, the K. K. K.'s having frightened them every night, and carried off a carpet-bagger from Illinois. One negro, a big-talking radical, somewhere in the parish of St. Martin, was lately carried off by these confederate ghosts, at night, and has never been heard of since.

A night traveler called at the negro quarters, somewhere in Attakapas, and asked for water. After he had drunk three blue buckets full of good cistern water, at which the negro was much astonished, he thanked the colored man and told him he was very thirsty, that he had travelled nearly a thousand miles in twenty-four hours, and that was the best drink of water he had since he was killed at the battle of Shiloh. The negro dropped the bucket, tumbled over two chairs and a table, escaped through a back window, and has not since been heard from. He was a radical negro.

White men on white horses have lately been seen sailing through the air at midnight at Pattersonville, Jeanerette, and at various places all over the southern part of this State.

If negroes attempt to run away from the K. K. K.'s, these spirits always follow them, and catch them, and no living man hears from them again.

The leader of this new order is said to be perfectly terrible. He is ten feet high and his horse is fifteen. He carries a lance and a shield like those of Goliath of the Philistines. . .

Attakapas, May 20, 1868. K. K. K.

A Ku Klux Order

Tuscaloosa (Alabama), *Independent Monitor*, April, 1868. This order was written by Ryland Randolph, posted on the streets, and later published in his paper, the *Monitor*. Part of the order is in cypher. The rest has no meaning. [1868]

KU KLUX

Hollow Hell. Devil's Den, Horrible Shadows. Ghostly Sepulchre.
Head Quarters of the Immortal Ate of the K. K. K. Gloomy Month. Bloody Moon. Black Night. Last hour.

GENERAL ORDERS No. 3.

Shrouded Brotherhood! Murdered heroes!

Fling the bloody dirt that covers you to the four winds! Erect thy Goddess on the banks of the Avernus. Mark well your foes! Strike with the redhot spear! Prepare Charon for his task!

Enemies reform! The skies shall be blackened! A single Star shall look down upon horrible deeds! The night owl shall hoot a requiem o'er Ghostly Corpses!

Beware! Beware! Beware!

The Great Cyclops is angry! Hobgoblins report! Shears and lash!

Tar and Feathers! Hell and Fury!

Revenge! Revenge! Revenge!

Bad men! white, black, yellow, repent!

The hour is at hand! Be ye ready! Life is short! J. H. S. Y. W!!

Ghosts! Ghosts!! Ghosts!!!

Drink thy tea made of distilled hell, stirred with the lightning of heaven, and sweetened with the gall of thine enemies!

All will be well!!!

By order of the Great
BLUFUSTIN
G. S. K. K. K.

A true copy
Peterloo
P. S. K. K. K.

A Ku Klux Parade

Lester and Wilson, *Ku Klux Klan*, p. 61. Copyright 1884, 1905. Used by permission. This parade was in Pulaski, Tennessee.

[1868]

On the morning of the 4th of July, 1867, the citizens of Pulaski found the sidewalks thickly strewn with slips of paper bearing the printed words: "The Ku Klux will parade the streets tonight." This announcement created great excitement. The people supposed that their curiosity, so long baffled, would now be gratified. They were confident that this parade would at least afford them the opportunity to find out who were the Ku Klux.

Soon after nightfall the streets were lined with an expectant and excited throng of people. . . The members of the Klan in the country left their homes in the afternoon and traveled alone or in squads of two or three, with their paraphernalia carefully concealed. . . After nightfall they assembled at designated points near the four main roads leading into town. Here they donned their robes and disguises and put covers of gaudy materials on their horses. A sky-rocket sent up from some point in the town was the signal to mount and move. The different companies met and passed each other on the public square in perfect silence; the discipline appeared to be admirable. Not a word was spoken. Necessary orders were given by means of the whistles. In single file, in death-like stillness, with funeral slowness, they marched and countermarched throughout the town. While the column was headed North on one street it was going South on another. By crossing over in opposite directions the lines were kept up in almost unbroken continuity. The effect was to create the impression of vast numbers. This marching and counter-marching was kept up for about two hours, and the Klan departed as noiselessly as they came. . .

The efforts of the most curious and cunning to find out who were Ku Klux failed. One gentleman from the country, a great lover of horses, who claimed to know every horse in the county, was confident that he would be able to identify the

riders by the horses. . . During a halt of the column he lifted the cover of a horse that was near him . . and recognized his own steed and saddle upon which he had ridden into town. The town people were on the alert also to see who of the young men of the town would be with the Ku Klux. All of them, almost without exception, were marked, mingling freely and conspicuously with the spectators. Those of them who were members of the Klan did not go into the parade.

This demonstration had the effect for which it was designated. Perhaps the greatest illusion produced by it was in regard to the numbers participating in it. . . [Some] were confident that the number was not less than three thousand. Others, whose imaginations were more easily wrought upon, were quite certain there were ten thousand. The truth is, that the number of Ku Klux in the parade did not exceed four hundred. This delusion in regard to numbers prevailed wherever the Ku Klux appeared. . .

The Klan had a large membership; it exerted a vast, terrifying and wholesome power; but its influence was never at any time dependent on, or proportioned to, its membership. It was in the mystery in which the comparatively few enshrouded themselves. Gen. Forest, before the Investigating Committee, placed the number of Ku Klux in Tennessee at 40,000, and in the entire South at 550,000. . . Careful investigation leads to the conclusion that he overshoots the mark in both cases. It is an error to suppose that the entire male population of the South were Ku Klux, or that even a majority of them were privy to its secrets and in sympathy with its extremest measures. To many of them, perhaps to a majority, the Ku Klux Klan was as vague, impersonal and mysterious as to the people of the North, or of England. They did attribute to it great good and to this [day] remember with gratitude the protection it afforded them in the most trying and perilous period of their history, when there was no other earthly source to which to appeal.

One or two illustrations may here be given of the methods resorted to to play upon the superstitious fears of the negroes

and others. At the parade in Pulaski, while the procession was passing a corner on which a negro man was standing, a tall horseman in hideous garb turned aside from the line, dismounted and stretched out his bridle rein toward the negro, as if he desired him to hold his horse. Not daring to refuse, the frightened African extended his hand to grasp the rein. As he did so, the Ku Klux took his own head from his shoulders and offered to place that also in the outstretched hand. The negro stood not upon the order of his going, but departed with a yell of terror. To this day he will tell you: "He done it, suah, boss. I seed him do it." The gown was fastened by a drawstring over the top of the wearer's head. Over this was worn an artificial skull made of a large gourd or of pasteboard. This with the hat could be readily removed, and the man would then appear to be headless. Such tricks gave rise to the belief — still prevalent among the negroes — that the Ku Klux could take themselves all to pieces whenever they wanted to.

Some of the Ku Klux carried skeleton hands. These were made of bone or wood with a handle long enough to be held in the hand, which was concealed by the gown sleeve. The possessor of one of these was invariably of a friendly turn and offered to shake hands with all he met, with what effect may be readily imagined.

A trick of frequent perpetration in the country was for a horseman, spectral and ghostly looking, to stop before the cabin of some negro needing a wholesome impression and call for a bucket of water. If a dipper or gourd was brought it was declined, and the bucket full of water demanded. As if consumed by raging thirst the horseman grasped it and pressed it to his lips. He held it there till every drop of the water was poured into a gum or oiled sack concealed beneath the Ku Klux robe. Then the empty bucket was returned to the amazed negro with the remark: "That's good. It is the first drink of water I have had since I was killed at Shiloh." Then a few words of counsel as to future behavior made an impression not easily forgotten or likely to be disregarded. Under ordinary

circumstances such devices are unjustifiable. But in the peculiar state of things then existing they served a good purpose. It was not only better to deter the negroes from theft and other lawlessness in this way than to put them in the penitentiary; but it was the only way, at this time, by which they could be controlled. The jails would not contain them. The courts could not or would not try them. The policy of the Klan all the while was to deter men from wrong doing. It was only in rare exceptional cases, and these the most aggravated, that it undertook to punish.

Influence in the Elections

House Misc. Doc. no. 12, 41 Cong., 1 Sess., p. 14. Statement of a Louisiana Radical. [1869]

THERE were numerous secret political organizations of the democratic party throughout the parish, [New Iberia] known . . as the "Ku Klux Klans," whose objects were to intimidate the republicans and prevent them from voting at all, unless they would vote the democratic ticket. These organizations were armed with fire-arms and patrolled the parish night and day, committing murders and outrages upon the republicans, and produced such terror and alarm among the freedmen and others belonging to the republican party that it was unsafe for them to hold meetings. . . It was utterly impossible to distribute republican tickets among the voters of the parish without danger of being mobbed and killed. . . Witness knows of a great many freedmen who were republicans, and who desired to vote the republican ticket, who were, by violence, fraud, and intimidation, compelled to vote the democratic ticket. . . Before and on the day of the election the principal roads in the parish leading to the different places of voting were patrolled by armed men of these Klans for the purpose of intercepting republicans going to vote; and, in many instances, plantations where freedmen were employed were guarded by armed men to prevent the freedmen from going to the polls.

Negro Officials Ordered to Resign

Ku Klux Report, South Carolina testimony, p. 1096. [1871]

K. K. K.

HEADQUARTERS; NINTH DIVISION, S. C.,

Special Orders No. 3, K. K. K.

"Ignorance is the curse of God." For this reason we are determined that the members of the legislature, the school commissioner, and the county commissioners of Union shall no longer officiate. Fifteen (15) days' notice from this date is therefore given and if they, *one and all,* do not *at once and forever resign* their present inhuman, disgraceful, and outrageous rule, then retributive justice will as surely be used as night follows day.

Also, "An honest man is the noblest work of God." For this reason, if the clerk of the said board of county commissioners and school commissioners does not *immediately* renounce and relinquish his present position, then harsher measures than these will most assuredly and *certainly* be used.

For confirmation, reference to the orders heretofore published in the *Union Weekly Times* and *Yorkville Enquirer* will more fully and completely show our intention.

A. O., *Grand Secretary.*

March 9, 1871.

Ku Klux Discipline

Ku Klux Report, South Carolina testimony, p. 436. A negro's statement. [1871]

THEY came to my door and they said "Hey!" I was asleep. They called, "Hey, hey!" My wife says, "Lewis listen." . . "What are you doing there?" I says; and they said, "By Christ, come out; I will show you what I am doing." . . and I got up and sat on the bed, with my legs hanging out, and peeped out . . They says, "Lewis, by Christ, arn't you going to get up and open the door?" . . I spoke and said, "What do you want; do you want to whip me?" I have done nothing to be whipped; . . He says, "By Christ, open the door; I will tell you by Christ, what I am to whip you for." I

hung down my head and studied, and said, "I have done nothing to be whipped for; and I don't think I can open the door." My wife jumped up to open the door; they said, "Open the door, Adeline;" . . They said, "Lewis, you get up and come out." . . After so long a time I went to the door. . . Then one come running right up to me, a great big fellow . . he says, "Come down on the ground, by Christ, among your friends!" I says, "I can do that and let the trouble be over with; short or long, let it be over with," and out on the ground I went. Says he, "How did you vote?" I says, "I voted the radical ticket." "You has, sir?" he says. I says, "Yes, sir." "Well, by Christ," says he, "Ain't you had no instruction?" I says, "I can't read, and I can't write, and I can't much more than spell." . . I says, "How can a black man get along without there is some white gentleman or other with them? We go by instructions. We don't know nothing much." "O, by Christ," says he, "you radicals go side by side with one another, and by Christ us democrats go side and side with one another." I says, "I can't help that." He says, "You can't by Christ." I says, "No sir; I can't." He says, "Well, sir, are you going up in the morning to see to your crop, and go to work?" I says, "Just as quick as I get my breakfast I am going." He says, "Is you tending to your crop?" I says, "Yes, I am." He says, "Is there any grass in your crop?" I says, "Yes, a little; according to the chances, I had a little grass there." He says, "By Christ, you have got to tend to the crop." I says, "I am tending to it." I says, "When I get out of corn and out of meat both, and anybody has got corn and meat, I jump out and work for a bushel of corn and a piece of meat, and work until I get it." [1] . . I says, "What do you want to whip me for? I have done nothing." "Come out in the road," he says. I stopped and studied and hung down my head. "I can't study up nothing," I said, "for what you ought to whip me." They said, "You didn't think about this when you voted the radical ticket." One of them threw a pistol right up here under my chin, and one grabbed

1. This was and is still a custom of negro share tenants — to neglect their own crops and work elsewhere for cash or supplies.

me by the sleeve, and he says, "You must come." I says, "I can come without holding, I reckon, but it is mighty hard to take a whipping for nothing; the gentleman on the plantation . . says I am a good hand; . . and anybody that wants to know whether I am a good hand or not needs no more than to go and look at my crop." He says . . "Get in the road and march," and in the road I went. They took me up the road pretty near to the edge of the woods; . . Says he, "Off with your shirt." I says, "What do you all want to whip me for; what have I done?" "By Christ," he says, "Off with your shirt; if you don't you shall go dead. We come from Manassas grave-yard; and by Christ we want to get back to our grave-yard and cover up before day, by Christ." . . I threw my shirt off. The one talking to me says, "You must hit him forty;" the other says, "thirty will do him." He says, "Now Lewis, by Christ, you get down on your knees." I says, "It is hard to get down on my knees and take a whipping for nothing." Then I dropped down. He says, "By Christ, don't you get up until we get done with you." They set to work on me and hit me ten or fifteen licks pretty keen, and I raised up. "Get down," he says; "if you ever raise up again you'll go dead before we quit you." Down I went again, and I staid down until they got done whipping me. Says he, "Now, by Christ, you must promise you will vote the democratic ticket?" I says, "I don't know how I will vote; it looks hard when a body thinks this way and that way to take a beating." . . "You must promise to vote the democratic ticket, or you go dead before we leave you," he says. Then I studied and studied. They gathered right close up around me. "Come out with it — come, out with it, by Christ." Then I says, "Yes, sir, I reckon so." . . Well, after I told them that, they said, "By Christ, now get up and put on your shirt." . . I stopped and studied, and had to put on my shirt. "Now," he says, "by Christ, you go; we are done with you; . . if you let it get out you must go dead for it all; I will come back." I says, "Yes," and back I went to my house, and off they went.

"A Decent Man is Safer"

Ku Klux Report, South Carolina testimony, p. 57. Statement of D. H. Chamberlain, attorney general, later governor, of South Carolina, Radical. [1871]

I THINK the class who have suffered most from Ku-Klux outrages have been all bad office-holders. . . I think . . that . . the ground of the Ku-Klux movement was political. But I think it has been greatly aggravated by the misconduct of the republican party. . . I think that in South Carolina a man is safer — I feel bound to say that, as bad as the Ku-Klux may be — I think that a man is safer in their hands if he conducts himself decently.

4. THE KLANS OUTLAWED

Anti-Kuklux Statute

Acts of Alabama, 1868, p. 444. The other reconstructed states passed similar laws. For federal legislation see the Enforcement Acts, pp. 102-123. [1868]

WHEREAS, There is in the possession of this General Assembly ample and undoubted evidence of a secret organization in many parts of this State, of men who, under the cover of masks and other grotesque disguises, armed with knives, revolvers and other deadly weapons, do issue from the places of their rendezvous, in bands of greater or less number, on foot or mounted on horses, in like manner disguised, generally in the late hours of the night, to commit violence and outrages upon peaceable and law-abiding citizens, robbing and murdering them upon the highway, and entering their houses, tearing them from their homes, and the embrace of their families, and with violent threats and insults, inflicting on them the most cruel and inhuman treatment; and whereas, this organization has become a widespread and alarming evil in this commonwealth, disturbing the public peace, ruining the happiness and prosperity of the people, and in many places overriding the civil authorities, defying all law and justice, or evading detection by the darkness of night, and with their hideous costumes; therefore

Section 1. *Be it enacted* . . That any person appearing away from his home by night or by day, in company with others, or alone, wearing a mask, or disguised in other costume, or both, shall be held guilty of a high crime and misdemeanor, and on conviction shall be fined in the sum of one hundred dollars and be imprisoned in the county jail not less than six months nor more than one year, at the discretion of the court having jurisdiction of the same.

Sec. 2. . . Any such [disguised] person . . shall be held guilty of a felony, and his disguise shall be sufficient evidence of his evil intent and of his guilt, and on conviction shall be fined one thousand dollars, and be imprisoned in the peniten-

tiary not less than five years nor more than twenty years at the discretion of the court trying the same; and any one who may shoot, or in any way kill or wound such person, while under the cover of such disguise, and while in the act of committing, or attempting or otherwise to commit such violence or trespass, shall not be held guilty before the law of any offense against such person or the State, or be made to suffer any penalty for such act.

Sec. 3. . . If any person or persons so disguised, or without disguise, shall unlawfully and with force, demolish, pull down, or destroy by fire or otherwise, or begin to demolish, pull down, or set fire to, or destroy any church, or chapel, or meeting house, for religious worship, or school house, or other building used or intended for educational purposes, or any other building used for private or public use, shall be guilty of a felony, and upon conviction, shall be imprisoned in the penitentiary not less than ten nor more than twenty years, at the discretion of the court trying the same. . .

Sec. 6. . . [If] any magistrate, to whom any complaint is made, or designated in section five of this act, or any sheriff or other officer, shall refuse or neglect to perform the duty required of such magistrate or officer, by this act, shall, on conviction, thereby forfeit his office, and shall be fined the sum of five hundred dollars.

Martial Law in Tennessee

Senate Doc. no. 209, 57 Cong., 2 Sess., p. 118. Proclamation of Governor Brownlow, January 20, 1869. This calling out of the militia resulted in the overthrow of the Radical government at the polls and the central organization of the Klan then disbanded. [1869]

WHEREAS, there exists in middle and west Tennessee lawless bands who set at defiance civil law, and in certain localities render it impossible for civil officers to enforce the laws of the State; and whereas, those masked villains, called Ku-Klux, are taking prisoners from jails and hanging them without trial, and are abducting passengers from railroad trains and notifying conductors of Northern birth to leave the State, thus having driven four conductors from one road, . . and whereas,

certain ambitious men have made incendiary speeches, advising the overthrow of the State government, thereby encouraging these bands; and whereas, certain rebel newspapers have encouraged these men by denying the existence of the Ku-Klux by ridiculing their acts, and failing to condemn them; and whereas the legislature has amended the militia law and given me authority to meet such outrages: Now, therefore, I, William G. Brownlow, governor of Tennessee, do call upon all good and loyal citizens to enter the ranks of the State guards, be mustered into service, and aid in suppressing lawlessness. Those enrolling in east Tennessee will be transported to Nashville and armed and placed under the command of Gen. James A. Cooper.

Another proclamation will be duly issued designating the counties in which I shall declare martial law, the effect of which will be to set aside civil law and turn over offenders to the military to be tried and punished summarily. These outrages have been long borne, but the executive is not to be cajoled or trifled with. The citizens are warned against harboring any Ku-Klux. The governor will make the guards numerous and effective enough to make middle and west Tennessee as orderly and quiet as east Tennessee is today.

XIII

THE UNDOING OF RECONSTRUCTION

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THE UNDOING OF RECONSTRUCTION

INTRODUCTION

A YEAR before Georgia was finally reconstructed the undoing of Reconstruction began with the re-enfranchisement (1869) of ex-Confederates in Tennessee and the consequent transfer of the state government to them. The border states began to go Democratic in 1870 and in that year North Carolina and Virginia returned to the control of the Conservative whites, while Georgia followed a year later. The Ku Klux movement greatly aided in the recovery of these states, and also assisted the whites in the other states to regain control of the white counties; so that after 1871 although the reconstructionists held seven state governments, within those states they controlled only in the black counties, the majorities from the black districts overcoming the majorities from the white counties.

As the Reconstruction governments grew more corrupt the better class of whites deserted the Radical party, leaving only from 3,000 to 5,000 whites, principally office holders, in each state to organize and control the blacks. Sympathy for the South grew in the North and the Democrats carried several states. But the Southern Radicals were now greatly aided by the Enforcement laws and by Federal control of elections. Disputed elections and dual governments were always decided in favor of the Radicals. Consequently by 1874 the whites were exasperated to the point of rebellion. In this year there was a revolution in Louisiana,[1] and revolutionary elections in Ala-

1. See p. 144.

bama, Arkansas, and Texas gave control to the whites. These successes were made possible only by the use of extreme methods by the whites — intimidation, force, social and business ostracism, purchase of votes, drawing the color line, discharge from employment, forced resignations, the "shot gun plan," and "Rifle Clubs." Most of these were simply carpetbag methods adopted by the whites, but the whites were at a disadvantage in not having the support of the Federal troops and marshals, and in not being able to use fraud in counting ballots. Conservative intimidation checked Radical intimidation and made it possible for a few thousand negroes in each state to vote with the whites. The disputed election of 1876 gave the opportunity to the Southern whites to make a "bargain" by which the troops were withdrawn from the South in return for the election of Hayes. South Carolina, Louisiana and Florida then drove out the Radical officials. The South, now "solid," proceeded to eliminate the negro from politics by the use of the election and registration laws, and other methods that the Radicals had used, and by new schemes, until finally the negro vote was either suppressed or brought mainly under Democratic control. Meanwhile individual amnesty acts and the Amnesty Act of 1872 restored the franchise to most of the whites. The use of the army in elections was forbidden by law in 1878 and 1880. No appropriations were made for deputy marshals at elections, and in 1894 the statutes providing for Federal supervision of elections were repealed. The United States Supreme Court aided in the undoing of Reconstruction Acts by interpreting the Fourteenth and Fifteenth Amendments as applying to violations by states, not by individuals. Consequently the Enforcement Acts were gotten out of the way. The Civil Rights Act was also declared to

relate to matters not under the control of Congress. So within eight years after the initiation of the Congressional plan of Reconstruction, all of the carpetbag and negro State governments, though strongly supported by the Washington administration, gave place to control by the whites; and within another eight-year period, the most important of the Enforcement laws were declared unconstitutional or were repealed, and the Federal control of state affairs ceased to a great extent.

During the twenty years after the overthrow of the Reconstruction rule, the negroes had little political influence except when used by one faction of Democrats against another. The Black Belt continued to decline industrially and the white counties to prosper. Morally and economically there was a separation of the blacks into classes — a few made great advance, others little or no progress, and some retrograded. Negro religion and negro education slowly improved; in both, the blacks remained to some extent under Northern direction, the Southern whites being unable to regain influence to any appreciable degree.

The complete ousting of the negro from politics for the time being has been accomplished in several of the Southern states by new constitutions which impose as qualifications for suffrage, long residence, registration, payment of poll tax, and property holding or ability to read. In order to exclude but few whites certain temporary contrivances were used called the "Grandfather," "Understanding," "Old Soldier," and "good character" schemes. Few negroes could comply with these temporary qualifications which have, except in North Carolina, ceased to operate, so that theoretically the races are now equal before the suffrage laws, though most of the blacks are shut out. It seems impossible to get a case before the Supreme

Court in which the fundamental question may be decided. This disfranchising movement, which began in Mississippi in 1890 and was continued in South Carolina 1895, Louisiana 1898, North Carolina 1900, Alabama and Virginia 1901, was caused mainly by the practice of the Republicans in reorganizing the negroes in districts in which the whites were divided and selling their support to one of the factions or trying to elect a negro candidate, and by the custom of the Democratic politicians in the Black Belt to make use of negro votes to keep that section predominant in politics. The elimination of the negro vote has caused the transfer of political power from the whites of the black counties to the whites of the white counties, a situation that prevailed in most of the Southern states before 1861.

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1. CONDITIONS IN 1874

"Meet Brute Force with Brute Force"

Atlanta (Georgia) *News*. September 10, 1874, in *House Report no. 261, 43 Cong., 2 Sess.*, p. 767. Editorial. [1874]

LET there be White Leagues formed in every town, village and hamlet of the South, and let us organize for the great struggle which seems inevitable. If the October elections which are to be held at the North are favorable to the radicals, the time will have arrived for us to prepare for the very worst. The radicalism of the republican party must be met by the radicalism of white men. We have no war to make against the United States Government, but against the republican party our hate must be unquenchable, our war interminable and merciless. Fast fleeting away is the day of wordy protests and idle appeals to the magnanimity of the republican party. By brute force they are endeavoring to force us into acquiescence to their hideous programme. We have submitted long enough to indignities, and it is time to meet brute-force with brute-force. Every Southern State should swarm with White Leagues, and we should stand ready to act the moment Grant signs the civil-rights bill. It will not do to wait till radicalism has fettered us to the car of social equality before we make an effort to resist it. The signing of the bill will be a declaration of war against the southern whites. It is our duty to ourselves, it is our duty to our children, it is our duty to the white race whose prowess subdued the wilderness of this continent, whose civilization filled it with cities and towns and villages, whose mind gave it power and grandeur, and whose labor imparted to it prosperity, and whose love made peace and happiness dwell within its homes, to take the gage of battle the moment it is thrown down. If the white democrats of the North are men, they will not stand idly by and see us borne down by northern radicals and half-barbarous negroes. But no matter what they may do, it is time for us to organize. We have been temporizing long enough. Let

northern radicals understand that military supervision of southern elections and the civil-rights bill mean war, that war means bloodshed, and that we are terribly in earnest, and even they, fanatical as they are, may retrace their steps before it is too late.

"Pike County Platform"

House Report no. 262, 43 Cong., 2 Sess., p. 1262. This platform adopted by an Alabama white county in 1874 was re-adopted by nearly all the Conservative county conventions in the State. The issue presented brought out the full white vote in "Union" districts.

[1874]

WHEREAS the republican party of Alabama, for years past, has distinctly made and tendered to the people of this State an open, square issue of race; and

Whereas the tendencies of the doctrines, teaching and practices of said party, as more recently illustrated and evidenced by the passage by the United States Senate of what is known as the civil-rights bill, are to the effect that the negro, by reason of his emancipation, is elevated to, and ought of right to enjoy, social as well as political equality; and

Whereas the white people of the South have sedulously endeavored to prevent this issue of race, and in various ways sought to escape and avoid the said issue, well knowing the direful consequences that would follow it; and

Whereas the white people of the South have hitherto forborne, and hoped to escape the consequences thus hurled defiantly into their faces by the poor negroes, at the instance of the thieving crew known as carpet-baggers, and the more contemptible and infamous gang known as scalawags, who, in full view of this issue, have, for the sake of plunder, power, and spoils, sided with the aforesaid deluded negroes, regardless of the hateful and direful consequences to ensue from the passage of said odious civil-rights bill, which is the culmination of all radical diabolism.

Therefore, we respectfully suggest to our county convention for consideration the following resolutions:

Resolved, That we, the people of Troy beat, for the protection of our dearest and most sacred interests, our homes, our

honor, the purity and integrity of our race, and to conserve the peace and tranquillity of the country, accept the issue of race thus defiantly tendered and forced upon us, notwithstanding our determination and repeated efforts to avoid it; and further

Resolved, That nothing is left to the white man's party but social ostracism of all those who act, sympathize or side with the negro party, or who support or advocate the odious, unjust, and unreasonable measure known as the civil rights bill; and that from henceforth we will hold all such persons as enemies of our race, and we will not in the future have intercourse with them in any of the social relations of life.

These are the sentiments of the democrats and conservatives of Pike County, with their fifteen hundred white majority.

Conservatives Use Radical Methods

House Report no. 262, 43 Cong., 2 Sess., p. 702. Republican statement. In the elections at the close of Reconstruction the Conservatives made use of the methods formerly used against them. [1874]

It was the advice of the democratic executive committee to the planters to furnish a list of the colored men in their employ who voted the colored ticket; and also all those who voted the democratic conservative ticket. In my opinion there is a determination here, on the part of the native white element, not to submit to republican principles and republican rule. . . Two weeks ago . . Mr. Price on the Mobile and Girard Railroad . . said, "You republicans were not fairly defeated. I know myself that on the train on which I was conductor on the day of the election, a great number of white men went from Georgia into your State and voted at three or four different places three or four different times on that day." If it had not been for the interference of the federal authorities in New Orleans, the republican administration would certainly have been overthrown in the State prior to the election. Military organizations were being effected in every part of this State. In my own town military organizations organized and applied to the governor for arms under the "militia law," and he refused to grant them. In Tuskegee and other places in the state arms

were purchased by private subscriptions of citizens. Tuskegee is in Macon County. There were companies there numbering about sixty, fully armed and equipped, and there were white military organizations all over this State, because on the day the governor was inaugurated five or six different military organizations from different parts of the State were here armed and participating, and wearing the usual gray uniforms.

Whipping Independents into Line

Opelika (Alabama) *Times*, June 6, October 14, 1874. Communication signed "Old Whig." Toward the end of Reconstruction "independent" candidates were numerous. [1874]

CAN any man who sees the coming storm, and who, by blood or marriage, or adoption, feels the least possible interest in the future of our starved and cursed land, refuse to strike hands with his distressed fellow-citizens and join heart and soul in this their earnest endeavor to break the chains that are now being forged for our captivity? Is this hour of peril a time when any true man can hide from the draft made upon him by common suffering and a common threatened ruin? Is not the battle to be fought this fall one of common interest, and how dares any man either to go into the enemy's camp or seek to lay his burden upon the shoulders of another? . . Is it not the time when the 80,000 white voters of Alabama should march as men with one banner and one voice? . . Men, now, who walk out . . between the two contending parties, begging quarters from friend and foe, are verily independents, (!) and deserve first to be shot down. Such independent men as these are seeking, through cowardly apprehensions, to make themselves the nucleus of the disaffected elements of the two parties, and thereby secure a position through cunning which they do not have the manliness to win upon principle. They are reaching out their arms to gather with one from the black fold and with the other the white. Perfectly independent; independent of race, color, and previous condition; independent of organization; independent of the history of consequences and results; independent of everything and everybody except office and the love of self. Rage scourge,

devastate plague, ravage plague, ravage war, waste disease, and everybody sink if he swims. . .

The protege of radicalism, these independents, the spawn of corruption or poverty, or passion, or ignorance, come forth as leaders of the ignorant or deluded blacks, to attack and plunder for avarice, and defile and deflower for passion. There may be no God to avenge the South, but there is a devil to punish independents without priestly benediction, and Alabama will witness the ceremony. . .

Satan hath been in the democratic camp, and, taking these independents from guard-duty, led them up into the mountains and showed them the kingdoms of radicalism, his silver and gold, store-houses and bacon,[1] and all these promised to give if they would fall down and worship him; and they worshiped him, throwing down the altars of their fathers and trampling them under their feet. . .

A square, brave, bold republican, such as was old Thad Stevens, we admire, and colored men admire him; but one who comes as a ravenous wolf under sheep's clothing even a negro and the devil most abhor. Such a man as Stevens, if taken in battle, would be entitled to the treatment of a soldier of war, but those independents who followed the Southern army, dressed up in confederate uniform, plundering and preying upon the remnant of subsistence left by the army, were not soldiers, although they wore the confederate regalia, and if taken by either army or citizens, would find no protection under either the laws of God or man. . .

Hard is life; but life cursed by passion, cursed by infidelity, cursed by ignorance and prejudice, by treason to race and country; cursed by ingratitude; yea cursed by the bite of radicalism, is a Gethsemane of crucifixion whose agony is left without a language. . . The rule of radicalism is the reign of Apollyon, Ashtaroth, Azriel, Baal, Belial, Beelzebub, Diabolus, Pluto, Pan, Satan, Zamiel, of black crook, and living, consuming devil. Independents minister at his altar. . .

All of the good . . men of Alabama are for the white man's

1. See p. 83.

party. Outcasts, liberals, liars, hand-cuffers, and traitors to blood are for the negro party. Decide where you will place yourself in November.

Revolution in Arkansas

Senate Ex. Doc. no. 25, 43 Cong., 2 Sess., pp. 76. 147. (1) Telegram from V. V. Smith to President Grant and (2) "extra" of Fort Worth *Herald*. Earlier in the year Governor Baxter had been ousted by Brooks but the Washington administration had replaced Baxter. A constitutional convention made a new constitution, ordered elections and A. H. Garland was chosen governor. Baxter worked in harmony with the convention and turned over the government to Garland. His lieutenant-governor, V. V. Smith, protested and President Grant proposed to Congress to set up the constitution of 1868, but it was not done. [1874]

[1] *Little Rock, November 16, 1874.*

His Excellence U. S. GRANT,

President of the United States, Washington, D. C.:

The State government is as completely overthrown by the connivance of Elisha Baxter as that of Louisiana was by Penn's militia. It is true that the revolution by which it was accomplished was bloodless, but it is just as effectually done as though it had cost a thousand lives. Baxter himself used the office of governor to organize the present revolutionary government. It was perfected in all its departments, civil and military, before he abdicated the office and turned the same over to Garland. So long as Baxter occupied the office I could not assume to discharge its duties. When he ceased to act as governor he yielded the office to a person who was the head of the new government, which is backed by a well-armed and thoroughly organized militia. In the face of such overwhelming advantages on the part of the Garland government, it would be worse than madness for me to undertake to re-establish the overthrown government by force of arms. Had I been able to do this I should not have called on you for aid. It is because I am powerless that I appeal to you. Any attempt on my part to re-establish the government under the constitution of 1868, without your recognition . . would result in embroiling the citizens of the State in a sanguinary conflict. Before the life of any citizen of the State is sacrificed, I desire to know from you, who are

the arbiter between Garland and myself, whether I will be regarded as the executive of a lawful government, or as being guilty of treason against it. If you have no authority under the Constitution and laws to restore a government to its lawful officers, from whom it has been wrested by revolution and treachery, instead of by actual conflict of arms and bloodshed, it is a sad commentary upon the legislation of the country.

V. V. SMITH, Governor.

[2] THE HERALD.—EXTRA.

Fort Smith, Tuesday, Nov. 17, 1874.

78,000 against 24,000.

Trouble again! Baxter out! Garland in! Baxter's lieutenant-governor, V. V. Smith, proclaims himself governor.

78,000 people say that

GARLAND IS GOVERNOR!

It now remains for that 78,000 people to sustain Garland and the free voice of the people.

Let the people be true to themselves. Let them come up like men, if needs be, and stand by their colors. The Garland government is the people's government. Baxter, his lieutenant-governor, V. V. Smith, and their Bourbon allies must be suppressed. If it be war, let it be war to the knife, and the knife to the hilt, if they force us to it, in defense of the new constitution, and the officers elected under it. Now is the time; and if Garland will have

V. V. SMITH

and his followers arrested, tried by drum-head court-martial and shot; that done, go for

CLAYTON, DORSEY,

and their abettors, then we will be rid of the great curse, and Arkansas will be free.

Stand true to the new constitution, to Garland, and to the whole State ticket elected under it.

WE MUST BE FREE! — *Sic semper tyrannis!*

2. THE MISSISSIPPI REVOLUTION

A Revolution not a Political Campaign

Mississippi Election of 1875, p. 1144. Extract from the Aberdeen *Examiner*, October 7. Editorial. [1875]

THE republican journals of the North made a great mistake in regarding the present campaign in Mississippi in the light of a political contest. It is something more earnest and holy than that — it is, so far as the white people and land-owners are concerned, a battle for the control of their own domestic affairs; a struggle to regain a mastery that has been ruthlessly torn from them by selfish white schemers and adventurers, through the instrumentality of an ignorant horde of another race which has been as putty in their hands, molded to our detriment and ruin.

The present contest is rather a revolution than a political campaign — it is the rebellion, if you see fit to apply that term, of a down-trodden people against an absolutism imposed by their own hirelings, and by the grace of God we will cast it off next November, or cast off the willfully and maliciously ignorant tools who eat our bread, live in our houses, attend the schools that we support, come to us for aid and succor in their hour of need, and yet are deaf to our appeals when we entreat them to assist us in throwing off a galling yoke that has been borne until further endurance is but the basest of cowardice. . .

We favor a continuance of the canvass upon the broad and liberal basis that has heretofore characterized it; that is, we favor appealing to the negro by everything good and holy to forsake his idols and unite with us in ridding the State of a sway that we despise; but at the same time that we extend the olive-branch and plead for alliance and amity, we should not hesitate to use the great and all-powerful weapon that is in our control; we should not falter in the pledge to ourselves and our neighbors to discharge from our employ and our friendship forever, every laborer who persists in the diabolical war that

has been waged against the white man and his interests ever since the negro has been a voter.

"Color-line" in Politics

House Report no. 265, 43 Cong., 2 Sess., p. 31. Statement of Judge H. H. Miller, formerly minister to Bolivia. [1875]

I THINK I understand the meaning and import of the term "color-line," as understood in this State. For some years after the war the white citizens of Mississippi made an earnest effort to accommodate themselves to the new condition of affairs, and undertook to assimilate themselves with the negro-voting population, and they endeavored to hold out every inducement to that class to discard all questions of mere condition originating from color, and in conventions, both State and county, for the nomination of public officers in carrying out this plan, they put upon our tickets colored men for various political positions. This effort was continued for six years, but met with no success. It became a well-recognized fact that every colored man who permitted his name to be put upon the ticket of what was called either the democratic or conservative party, was immediately ostracised by his own race; and no matter what had been the previous position with his race and party of any such individual, the acceptance of such a nomination resulted in his being immediately discarded by the party. After many unsuccessful efforts in that direction, a feeling grew up in the community that it was impossible to conciliate that element; that the difficulties in the way of such conciliation were insurmountable; that the prejudices of that race were continually employed against the whites by appeals made to them by what are generally known as carpet-baggers, political adventurers, and some of the worst elements of our race. These appeals were made to them upon the ground that the whites were their natural enemies. Exaggerated statements were constantly made to them of the cruelties and punishments that had been inflicted upon them while they were in a state of slavery; that the democratic or conservative party would ultimately reduce them to a condition of slavery, and that their only safety was in

strictly adhering to the republican party. Every element of discord that could possibly be imagined by these people was constantly kept before them, and the result was that in every election, State, county, and municipal, for a series of years the negroes were voted almost in solid mass and almost even carried to the polls as if in military array, each body under its leaders and subordinates, where they would remain until whole columns were voted, the leaders handing to each voter his ticket as he stood by the ballot-box to deposit it, and in many cases the leader depositing the ballot himself. This condition of things produced what is known as the "color-line." The "color-line" means that the whites of this State have become satisfied that it is useless further to attempt to coalesce with the negro element in voting; that it has been demonstrated by experience that that class of the community is incapable of properly administering the duties of any office for the benefit of the community; that therefore it has been determined for the future that none but white men will be nominated or voted for office by persons who favor the color-line in this State; but that with no intention of depriving the colored citizens of the right of franchise, or of any rights guaranteed to them by the Constitution or its amendments, or the laws of Congress, or of the State of Mississippi. . . . They feel that they are driven to the "color-line" by the fact that the colored element has adhered to such a line ever since they were invested with the rights of citizens.

"The Black Color-line"

Columbus (Mississippi) *Press*, August 7, 1875, in *Senate Misc. Doc. no. 45, 44 Cong., 2 Sess.*, p. 583. A Republican paper, representing the anti-administration element. [1875]

LET him dispute it who does, it is no less true that there are within the republican ranks scores of colored men who are just as determined to establish a color-line and run no body but colored men for office, as there are of white men who are bent on establishing a white line.

In the earlier days of republicanism in the South, when it felt itself weak and in peril, it was the habit of the party to

select the best men, regardless of color, for all positions. By this course the party became strong and successful, and, year after year, swept on to victory. Then it became known to unscrupulous men of both colors that the voting mass of the republican party being ignorant, an appeal to their prejudices upon the question of race was sufficient to secure a considerable political capital for the person who resorted to this base measure. The most unprincipled of white men, men who were about to be dropped out of the party because of dishonesty or lack of brains, readily seized this new device to prolong their unworthy political existence. Swell-headed colored men who had gotten a little taste of office in the way of road-overseers or beat-constables immediately aspired to seats in the legislature or the county offices, and applying the argument that colored men did the voting and colored men should have the offices, they succeeded in molding and fastening a sentiment which, widening and deepening, has finally brought the republican party, not only of the South but of the nation, up to the very verge of destruction.

The grand anthem of victory that swept across the land in 1868 and 1869 swelled the voices of the republican majorities in Arkansas, Tennessee, and Alabama, in Georgia, North Carolina, and Virginia. Where are these States to-day? Gone, irretrievably, across the dark line and arrayed in hostile attitude with the opposition. What lost the States? Ignorance and corruption in office, and dissension in our own ranks caused by unprincipled men. Last fall all the great republican States of the North, one by one, crossed over to the enemy and took up arms against us. What drove them from us? The scandal and disgrace brought upon the national party by the shameless and corrupt management in many of the Southern States.

As a means of bringing about this state of affairs in the South, none has been so fruitful as the persistent force of the argument that colored men, because colored, should have their proportion of offices, and the carrying out of that proposition, regardless of the qualifications of candidates, in conventions and elections.

Let us take for example our State convention of two years ago. The colored delegates came into the convention laying down the ultimatum that at least three out of the seven State officers should be colored men. They were not particular who they should be, just so that coloring matter of the skin was of the proper hue. This was the ultimatum. To enforce this demand came Warren County — notorious, unfortunate distracted Warren — puffed up with vanity over her five thousand majority, swaggering with the intoxication of absolute color supremacy. Warren County came bristling with pistols and, led by the gallant Furlong — the last of the white-skins that had been compelled to loose his leech-like hold upon the convention assembled, tearing the costly furniture of the State with their boot heels, and brandishing their pistols in the teeth of the convention. Messrs. Davenport, Crosby, and Furlong swore they would disrupt the republican party if it didn't nominate T. W. Cardozo for superintendent of public education. The black-liners bullied the convention and carried their point. Cardozo was nominated and Pease was defeated, to the everlasting shame of the party, and to-day Cardozo hangs like a mill-stone about its neck, sinking it deeper and deeper in the mire.

Warren County went home and made a clean sweep of the county officers for the black-liners, and to-day scores of their ignorant dupes lie buried in the ditches. Crosby, the sheriff, is a fugitive; a white-leaguer occupies his place; and Davenport and the rest are hunted down like sheep-dogs, while the poor misguided colored republicans of that county dare not, upon their lives, assemble in a political gathering; and when the next election comes they will be swallowed up in the deep, dark abyss of ruin which they themselves have dug.

Warren County is but an example of the several Southern States that have been revolutionized and gone over to the enemy. It is but an example of what will become of the State of Mississippi if the same counsels which have plunged her into desolation and despair, are allowed to prevail in the other counties of the State. The same class of advisers exist in nearly

all the counties. . . They will tell you to vote for your own color or die in the attempt. They will tell you that white republicans are only such for office. They will have you rush into an issue of race against race and plunge the county into strife and bloodshed if they perchance might ride safely upon the surging waves over the dead bodies of their countrymen to positions of profit.

We have uttered this warning voice more to acquit ourselves of a solemn duty to our many colored friends who are ignorant of the tendencies of the times, than in the hope that it will stay the sweeping tide that is bearing us onward to destruction. Let the sober, thinking colored men ponder it well, and act according to the teachings of the facts herein set forth, and the party may yet be saved and live to bless them, and their children after them, with the sweet reign of peace, and the enjoyment of all the rights and privileges of freemen and citizens. Let them refuse to listen, and the end is not far in the future.

Spirit of the Mississippi Press

Mississippi Election of 1875, p. 160. Extracts from Mississippi newspapers, read by Senator Morton in the U. S. Senate, January 19, 1876. Each paragraph is from a different newspaper. [1874]

CALL it what you please. Some call it the color-line. It looks to us like the white-line. It shall be seen who, in this emergency, can choose to stand with the negroes as against the whites. Mark them.

We are in favor of the color-line as a principle, a necessity, and a policy.

As a principle it means that property, intelligence, and integrity enjoy, of right, a superiority over poverty, ignorance and duplicity; for which reason, as an abstract principle, it has our hearty endorsement.

Rally on the color-line, boys, beyond the platform, every man to his color and colors, and make these negro pretenders to govern this great county come down, else put 'em down. What do the young men say to the old man's battle-cry in this politi-

cal campaign: "Step across the platform, boys, and go for 'em." . .

Already do we see signs in our State of the good effects of the color line. Prior to its organization there was no harmony or unity of action among the whites. The negroes had perfected their race in organizations and were able to control the politics of the State. The whites, after having attempted every scheme to secure an intelligent government and a co-operation of the negroes in this behalf, wisely gave it up and determined to organize themselves as a race, and meet the issue that had presented itself for ten years.

The present contest is rather a revolution than a political campaign; it is the rebellion, if you see fit to apply that term.

"Shoot him on the spot," if you find any man following Warner's suggestions about "counting the votes and making up the return" in the interest of radicalism.

Our colored democratic friends must not be beaten and scoffed at on the day of the election by men of their own color, steeped to the lips in radicalism. Let all such disturbers of the peace be shot on the spot as a fit punishment for their disgraceful conduct.

Democratic votes must not be thrown out by false-hearted, scoundrelly registrars, working in the interest of the radical party. If this be done, shoot the man who does it on the spot; and, our word for it, the public sentiment of the world will sustain you. Such a man deserves to die the death of a dog.

Much as we deplore bloodshed, and much as we lament violence, we believe that every riot will carry a plain lesson to the intelligent electors of Mississippi. To put down this riotous revengeful feeling, we have just got to put down the Ames ring.

Just so long as the Ames power rules Mississippi, just so long will white men be compelled to sleep with guns handy to reach.

The time has arrived when the companies that have been formed for defensive and protective purposes should come to the front. There are three of them in the city of Jackson. There are others in other parts of Hinds County. Let still

others be formed all over the State as speedily as possible, and armed and equipped with the best means that can be extemporized for the occasion.

Position of a Southern White Republican

Mississippi Election of 1875, p. 51. Statement of Thomas Walton, a Mississippi planter. [1875]

THE nature of the organization among the whites is just this: that there is a feeling among them that the negroes are banded together for the purpose of governing the country and expending its money regardless of any consideration except to promote personal ends, and that they are determined to support each other to a very large extent irrespective of the claims of virtue and intelligence; and the whites are just as determined to hold together and prevent that thing from being done. They are all united except a few persons who have co-operated with the republican party, and who . . are generally men who hold office or are candidates for office. That state of things has brought great reproach in the State of Mississippi upon every white man connected with the republican party, a reproach which requires an enormous weight of personal character to oppose and weigh down. The truth is, that the fact of a white man being a republican in the South, especially a white Southern man, is a surprise to every man in the South. It strikes every mind with astonishment. It is presupposed, as the basis of an intercourse there, that a white man is a democrat, and that he belongs to this organization, the object of which is to prevent negro influence from controlling the country locally. Indeed, I may state the case more strongly, and yet not go beyond the truth. I may say that a white man must be very well known in the South for a true gentleman to overcome the presumption which arises there *prima facie* that he must be a rogue if he is a republican. And I find even here in Washington [D. C.], when my friends present me even to northern republicans, there are signs of this same feeling, as they always feel it necessary to certify to my character after saying that I am a southern republican.

Why the Republicans Lost Mississippi

Mississippi Election of 1875, p. 1019. Statement of H. R. Revels, a negro, formerly United States Senator from Mississippi. [1875]

SINCE reconstruction, the masses of my people have been . . enslaved in mind by unprincipled adventurers, who, caring nothing for country, were willing to stoop to anything, no matter how infamous, to secure power to themselves and perpetuate it. My people are naturally republicans and always will be, but as they grow older in freedom so do they in wisdom. A great portion of them have learned that they were being used as mere tools, and, as in the late election, not being able to correct the existing evil among themselves, they determined, by casting their ballots against these unprincipled adventurers, to overthrow them; and now that they have succeeded in defeating these unprincipled adventurers, they are organizing for a republican victory in 1876; that we will be successful there cannot be a doubt. There are many good white republicans in the State who will unite with us, and who have aided us in establishing ourselves as a people. In almost every instance these men who have aided us have been cried down by the so-called republican officials in power in the State. My people have been told by these schemers when men were placed upon the ticket who were notoriously corrupt and dishonest, that they must vote for them; that the salvation of the party depended upon it; that the man who scratched a ticket was not a republican. This is only one of the many means these unprincipled demagogues have devised to perpetuate the intellectual bondage of my people. To defeat this policy at the late election men irrespective of race, color, or party affiliation united and voted together against men known to be incompetent and dishonest. I cannot recognize, nor do the masses of my people who read recognize, the majority of the officials who have been in power for the past two years as republicans. We do not believe that republicanism means corruption, theft, and embezzlement. These three offenses have been prevalent among a great portion of our office-holders; to them must be attributed the defeat of the republican party in the State if

defeat there was; but I, with all the lights before me, look upon it as an uprising of the people, the whole people to crush out corrupt rings and men from power. Mississippi is to-day as much republican as it ever was, and in November, 1876, we will roll up a rousing majority for the republican candidate for President. . .

The great masses of the white people have abandoned their hostility to the General Government and republican principles, and to-day accept as a fact that all men are born free and equal, and I believe are ready to guarantee to my people every right and privilege guaranteed to an American citizen. The bitterness and hate created by the late civil strife has, in my opinion, been obliterated in this State, except, perhaps, in some localities, and would have long since been entirely obliterated were it not for some unprincipled men who would keep alive the bitterness of the past and inculcate a hatred between the races, in order that they may aggrandize themselves by office and its emoluments to control my people, the effect of which is to degrade them. As an evidence that party-lines in this State have been obliterated, men were supported without regard to their party affiliations, their birth, or their color by those who heretofore have acted with the democratic party, by this course giving an evidence of their sincerity that they have abandoned the political issues of the past, and were only desirous of inaugurating an honest State government and restoring a mutual confidence between the races. . . Had our State administration adhered to republican principles and stood by the platform upon which it was elected, the State to-day would have been on the highway of prosperity. Peace would have prevailed within her borders, and the republican party would have embraced within its folds thousands of the best and purest citizens of which Mississippi can boast, and the election just passed would have been a republican victory of not less than eighty to a hundred thousand majority; but the dishonest course which has been pursued has forced into silence and retirement nearly all of the leading republicans who organized and have heretofore led the party to victory. A few who have been bold

enough to stand by republican principles and condemn dishonesty, corruption and incompetency, have been supported and elected by overwhelming majorities. If the State administration had adhered to republican principles, advanced patriotic measures, appointed only honest and competent men to office, and sought to restore confidence between the races, blood-shed would have been unknown, peace would have prevailed, Federal interference been unthought of; harmony, friendship, and mutual confidence would have taken the place of the bayonet.

In conclusion, let me say to you, and through you, to the great republican party of the North, that I deemed it my duty, in behalf of my people, that I present these facts in order that they and the white people (their former owners) should not suffer the misrepresentations which certain demagogues seemed desirous of encouraging.

3. THE SOUTH CAROLINA CAMPAIGN, 1876

"A Horrible Disaster"

Allen, *Chamberlain's Administration*, p. 220. Statement of Governor Chamberlain, Republican. The election as judges of Whipper and Moses, two notorious characters, alienated some Republicans and united the Conservatives. [December, 1875]

I LOOK upon their election [Whipper and Moses as judges] as a horrible disaster — a disaster equally great to the State and to the Republican party. The gravest consequences of all kinds will follow. One immediate effect will obviously be the reorganization of the Democratic party within the State as the only means left, in the judgment of its members, for opposing a solid and reliable front to this terrible crevasse of misgovernment and public debauchery. I could have wished, as a Republican, to have kept off such an issue.

How to Escape Moses and Whipper

Allen, *Chamberlain's Administration*, p. 221. Letter of H. V. Redfield, correspondent of the Cincinnati *Commercial*. Used by permission of G. P. Putnam's Sons. Moses had been governor of the state, 1872-1874. [December, 1875]

A RUMPUS has begun in South Carolina which will end in the white people getting control of the State, as they now have control of Mississippi. The means to be adopted to overthrow negro rule in the Palmetto State may not be precisely the same as that which proved successful in Mississippi, but the result will be similar. . . Pick out two of the most notorious ward bummers in Cincinnati — men as ignorant of the science of law as a boy is of astronomy, men of no standing in the community, and no character save that of idleness, and elevate them to the bench in two of the most important Ohio circuits, Cincinnati and Cleveland, for instance. How would you feel about it? . . The whites are aroused; the color line is drawn; and before long you will hear of a "great Democratic victory" in South Carolina like unto that in Mississippi.

The Governor has refused to sign the commissions of Moses

and Whipper upon merely technical grounds — something that he would not have thought of doing, . . had these judges-elect been decent men. But how he is to carry out his point I fail to see. There seems no escape from Moses and Whipper on the bench but the complete overthrow of the so-called party which elected them. And that is what is coming. I say to the reader, and hope he will remember it hereafter, Look out for Democratic gains in South Carolina! For a long time the whites have wanted a sufficient excuse to rise up and overthrow the African government under which they live; and now they have it. Not a white Republican in the State, from the Governor down, nor a Republican journal, pretends to justify the election of these notorious men to the bench.

The campaign in South Carolina next year will be very bitter, if not bloody. The whites will now draw the "color line," and at the same time throw all the blame upon the blacks. We know what the color line means. If any there are who don't comprehend the term, they can have light by spending a few days in Mississippi.

The President's Attitude

McPherson, *Handbook, 1876*, p. 207. President Grant to Governor Chamberlain of South Carolina. [July 26, 1876]

DEAR SIR: I am in receipt of your letter of the 22d of July, and all the enclosures enumerated therein, giving an account of the late barbarous massacre of innocent men at the town of Hamburg, S. C. The views which you express as to the duty you owe to your oath of office and the citizens to secure to all their civil rights, including their right to vote according to the dictates of their own consciences, and the further duty of the Executive of the nation to give all needful aid, when properly called on to do so, to enable you to secure this inalienable right, I fully concur in.

The scene at Hamburg, as cruel, as blood-thirsty, wanton, unprovoked, and as uncalled for as it was, is only a repetition of the course that has been pursued in other States within

the last few years, notably in Mississippi and Louisiana. Mississippi is governed to-day by officials chosen through fraud and violence, such as would scarcely be accredited to savages, much less to a civilized and Christian people. How long these things are to continue, or what is to be the final remedy, the great Ruler of the Universe only knows. But I have an abiding faith that the remedy will come, and come speedily, and I earnestly hope that it will come peacefully. There has never been a desire on the part of the North to humiliate the South; nothing is claimed for one State that is not freely accorded to all others, unless it may be the right to kill negroes and Republicans without fear of punishment and without loss of caste or reputation. This has seemed to be a privilege claimed by a few States. . .

Go on, and let every Governor, where the same dangers threaten the peace of his State, go on in the conscientious discharge of his duties to the humblest as well as the proudest citizen, and I will give every aid for which I can find law or constitutional power. A government that cannot give protection to the life, property, and all guaranteed civil rights (in this country the greatest is an untrammeled ballot) to the citizens is, in so far, a failure, and every energy of the oppressed should be exerted (always within the law and by constitutional means) to regain lost privileges or protection.

Too long denial of guaranteed rights is sure to lead to revolution, bloody revolution, where suffering must fall upon the innocent as well as the guilty. . .

U. S. GRANT.

Rifle Clubs and Artillery Companies

Allen, *Chamberlain's Administration*, pp. 350, 385. (1) H. V. Redfield in Cincinnati *Commercial*; (2) Letter of Governor D. H. Chamberlain. Used by permission of G. P. Putnam's Sons. [1876]

[1] THE outsider is apt to be puzzled by accounts of affairs here. He may not understand the formation of "rifle clubs," "rifle teams," "artillery companies," among the whites. What are they afraid of? They are not afraid of any thing. Why,

then, this arming? They intend to carry this election, if it is possible to do so. The programme to have "rifle clubs" all over the State, and, while avoiding actual bloodshed as much as possible, to so impress the blacks that they, or a number of them, will feel impelled to vote with the whites out of actual fear. The blacks are timid by nature, timid by habit, timid by education. A display of force unnerves them. The whites understand this, and an immense marching about at night, and appearance at any Republican meeting to "divide time," is with a view to impress the blacks with the sense of danger of longer holding out against white rule. Add to the number they can scare, the number they can buy, and they hope to have enough, united with the solid white vote, to gain the day, elect Hampton, and secure the Legislature.

[2] I refer now to the armed organizations which go under the names of "Rifle Clubs," "Sabre Clubs," and "Artillery Clubs." Of the exact extent of these organizations your information is doubtless much more ample than mine; but I think I am warranted in saying that such organizations exist in every county in the State, and that in many, if not most, of the counties they embrace a large majority of the white men between the ordinary limits of age for military duty, as well as a large number both below and above such limits. That these organizations are armed, officered, drilled, to a considerable extent at least, in the manual and military movements appropriate to the character of their arms and organizations, and obey the orders of their officers, is clear in many cases, and is probably true in all cases. . . That they serve as the basis of political organization, and under the command and control of their officers, engage in political duties and work is equally clear. In fact a leading feature of the present Democratic State canvass is the constant attendance upon the Democratic meetings of these Clubs, acting in their organized character and capacity. In no instance of such Clubs organized since December 1, 1874, has authority for their formation or existence been given by the Governor, [Chamberlain himself] nor are any such organizations reported to him officially, or in any

manner authorized or recognized by him as forming any part of the military force of the State.

"What is True and What is not True"

South Atlantic, June 1878. Address of the clergy, bankers, etc., of Charleston to the people of the United States. [1876]

FOR ten long, weary years the white people of South Carolina have endured a condition of things which any Northern State would have been tempted to throw off . . at the point of the bayonet if it could have been done in no other way. . . At last they determined, as by a common impulse and a natural and uncontrollable instinct of freedom, to make one supreme effort for their freedom; but to make it under and within the law.

Those who hold authority here having, through party affiliation, access to the highest organs of political power in the country and to the equally powerful organs of the partisan newspaper press, have subjected this people to the vilest misrepresentations and to the most cruel slanders. Some of these we desire to correct:

It is not true that the white people of South Carolina are disloyal or dis-affected to the United States Government. . .

It is not true that South Carolina, or any of its counties, is in a state of insurrection or domestic violence against the government of the State, or that law and process cannot be duly enforced within her territorial limits, or that there is any lawful cause or occasion whatsoever for the Federal government to interfere for the protection of the State government against the violence of her citizens.

It is not true that the white people of the State are hostile to the colored people, or have any design or disposition to abridge or infringe their political or civil rights. On the contrary, in their conventions and in the speeches of their candidates, for six years or more, the most public and solemn pledges have been given that all the rights of the colored people shall be respected and protected. . .

It is not true that the few "Rifle Clubs" in the State are "combinations of men against the law" or that they are engaged in "murdering some peaceable citizens and intimidating others," or that "they cannot be controlled or suppressed by the ordinary course of justice." . . These clubs existed with the knowledge and recognition of the governor. Not one of them ever acted in defiance of law or against the government or constituted authorities. The hostility to them of Governor Chamberlain and his coadjutors is recent; it is political and is designed to affect the coming election.

It is not true that in the recent race collisions the white people have been the aggressors. Their forbearance, as in the Charleston riot, the unprovoked Cainhoy Massacre, and the still more recent assassination of a white citizen in Edgefield, has been wonderful. The truth is that the leaders of the colored people, fearing that the day of their power is drawing to a close, have excited the ignorant dupes, have supplied them with arms, have aroused their fears for the loss of their liberty, and have thus encouraged them to commit deeds of violence.

We may also affirm some things that are true:

It is true that there is in the state a most active, earnest and excited canvass to overthrow corrupt rule and re-establish honest State Government. This is a legitimate and lawful object, which should command the sympathy and support of every lover of his country. It is not treason to defeat Chamberlain, nor is it insurrection or domestic violence to elect Hampton.

It is true that while White Rifle Clubs are ordered by the governor and the President to disband and disperse, the colored militia of the state are allowed to remain in organization and in possession of their arms, and to attend political meetings in military order with rifles and other arms. The object of this discrimination is as obvious as the comparatively defenseless condition in which it places the white population. We simply ask what would the people of New York or Massa-

chusetts think or do upon a like application of the bayonet policy to them under such circumstances?

Hampton's Speech to the Blacks

House Misc. Doc. no. 31, part i, 44 Cong., 2 Sess., p. 307. Speech at Abbeville, September 16, 1876. [1876]

I FEEL assured that if the colored people of the State would come out, and see and hear for themselves, there will be thousands and tens of thousands, like the colored men of Abbeville, that will join the democratic party in this State. I give them the word of a man, who neither friend nor foe can say ever broke that word, that if I am elected governor of South Carolina, *I shall be the governor of the whole State; I shall render to the whole people of this State equal and impartial justice.*

The platform adopted by the democratic party in Columbia is one upon which all can stand. Talk about putting the colored men back into slavery or qualifying their suffrages. . . It is against our interest to do either of these things, if we could. In the first place, the labor of the colored man is more valuable to us as he is than if he was slave, because they were perishable property, and, as soon as they passed away, it was so much loss to the general wealth of the country. As to qualifying your suffrages, why that is the very thing your President Grant wants to do. We want your votes; we don't want you to be deprived of them, and I can tell you, if the colored people continue to join the democratic ranks as they have been doing thus early in the campaign, we will be the last people in the world to curtail their suffrages. The northern republicans thought it was all right so long as you voted the republican ticket, but just so soon as the colored people of the South began to go democratic, they were the first to introduce a bill to qualify their suffrages. Why? Because they don't want the South to have a chance to turn the election for the President. I am not in the big fight, however. I am in this little fight to save South Carolina, and I tell you upon my honor that if you allow the white people of South

Carolina to go down this time, you will go down so deep that no plummet can ever reach you. If . . the white people of South Carolina, were to leave you the State, and give you everything, lands, houses, churches, banks, you could not live without them. *The only way to bring about prosperity in this State is to bring the two races in friendly relation together.* The Democratic party in South Carolina . . has promised that every citizen of this State is to be the equal of all; he is to have every right given him by the Constitution of the United States and of this State. This democratic party in South Carolina pledges itself to support and accept the thirteenth, fourteenth and fifteenth amendments . . and I pledge my faith, and I pledge it for those gentlemen who are in the ticket with me, that if we are elected, as far as in us lies, *we will observe, protect, and defend the rights of the colored man as quickly as any man in South Carolina.* (A voice, "That's right; tell them that over again.") If there is a white man in this assembly, because he is a democrat, or because he is a white man, believes that when I am elected governor . . that I will stand between him and the law, or grant to him any privileges or immunities that shall not be granted to the colored man, he is mistaken, and I tell him so now, that if that is his reason for voting for me not to vote at all.

A Man who Will Do what he Promises

House Misc. Doc. no. 31, part i, 44 Cong., 2 Sess., p. 308. Letter to General Hampton. Many negroes voted for General Hampton.

[1876]

Rock Hill, S. C., September 8, 1876.

MARS WADE: Seeing that you are nominated for governor by the white people, and hearing that you have promised the black man all the right he now has, and knowing that you were always good and kind to me when your slave, and knowing that you are a good and kind man — *a man who will do what he promises* — I write to say that I will vote for you, and get all the black men I can to do the same. I have bought a piece of land in York County, and am trying to make a good

support for my family, which I can do if we all had good laws and low taxes. My wife, Flora, is still living, and we have but one child, whom we wish to educate. Please write me, in care of Dr. T. C. Robertson, Rock Hill, S. C.

Your Friend, and former slave,

Rev. Francis Davie.

Democratic Working Men

Charleston *Journal of Commerce*, October 2, 3, and 5, 1876, in *Senate Misc. Doc. no. 48, 44 Cong., 2 Sess.*, p. 639. Such advertisements were common after 1874. [1876]

Housekeepers can get their meats from "Democratic Headquarters," stalls Nos. 49, 50, 57, and 58, Lower Market. Also, Nos. 9 and 10, Upper Market. . . It is not democratic money alone we want, but Wade Hampton and reform.

Daniel Cooper.
Dederick Stokien.
John Stokien.

To our merchants, wharf-owners, and tradesmen generally:

The Workingmen's Democratic Association are now prepared to furnish from 100 to 200 able bodied men for any kind of work. Apply at their hall, Queen street, near Meeting, from 9 to 12 m., 2 to 6, and 7 to 9 p. m.

A Card

Until further notice I will receive applications from those seeking employment, on Mondays, Wednesdays, and Fridays; and orders from employes for straight-out democratic workingmen, on Tuesdays, Thursdays, and Saturdays. I am prepared to furnish democrats with democratic labor at reasonable wages, to any extent at a moment's notice. To employ republicans and starve democrats no longer pays. It is a crime, and will be held to strict accountability.

R. S. Tharin,
75 Broad Street.

"A White Man's Government or Military Rule"

Senate Misc. Doc. no. 45, 44 Cong., 2 Sess., p. 318. Newspaper Editorial. [1876]

THE greatest excitement and enthusiasm pervade the ranks of the whites, and they are determined to redeem the State from her ignoble thrall at any cost and at any sacrifice.

Troops have no terrors for them. They want troops; they want all the troops that can be sent to the State, for the true soldier deeply sympathizes with the cause of the oppressed white man everywhere, and they are determined to have either a white man's government or military rule.

4. THE DOWNFALL OF THE RECONSTRUCTION REGIME

End of Carpetbag Rule in Florida

Wallace, *Carpet Bag Rule in Florida*, p. 342. Wallace supported Stearns and Hayes. Drew was Democratic candidate for governor. The "deal" here was for the returning board to give the electoral votes to Hayes and the state government to the Democrats. [1876]

THE visiting statesmen returned to the North and the Florida lawyers now began to set up for themselves. . . Filed in the Supreme Court a petition for a writ of mandamus, . . asked that the Board of State Canvassers be compelled to reassemble and canvass the returns as sent up by the County Boards of Canvassers. . . The board, in their first answer, raised the question of jurisdiction of the court. . . A peremptory writ was issued, commanding the board to count the votes from the face of the returns. Of course there was no answer to any such writ, but the conspirators undertook to trifle with the court and filed a protest instead of executing its mandate. The court then intimated clearly to the conspirators what they might expect if its mandate was not immediately obeyed. The conspirators, viewing the iron bars of the prison house in fear and trembling, with weeping eyes returned and made the canvass. The second canvass gave Drew 195 majority over Stearns, and the Hayes electors 214 over Tilden. The board in this canvass threw out the returns from Clay county so as to save the Hayes electors. . . [Governor] Stearns, looking back over the hard labor of his plundering career, and seeing that the packing of juries, the prostitution of the public schools, the disfranchising of whole counties, mob conventions, planned irregularities in elections, the public money expended to get possession of railroads, and the wholesale stuffing of ballot boxes had availed nothing, still was loath to give up the Government when he was actually in sight of the promised land. He called a consultation of the Ring chiefs at the City Hotel and required to know from them whether

they would support him should he maintain that he was Governor, the decision of the Supreme Court to the contrary notwithstanding. With one voice they all answered yea! The understanding was that all the colored people in the surrounding country should be notified that Stearns would be inaugurated on the day set apart by the constitution, and they were notified accordingly. Some of the carpetbaggers doubted the propriety of defying a Republican Supreme Court, but the "Little Giant" [L. G. Dennis] declared if Stearns did not hold on to the Government he would kill him. The day before Drew was to be inaugurated Stearns saw many strange faces in Tallahassee among the whites, and he began to grow pale and talk weak. The "Little Giant" now seeing that Stearns was about to yield up the ghost, went out and filled himself with the red beverage of hell and came to the hotel to murder him, and he would have attempted to do so, if he had not been locked in a room and detained until he fell asleep. In the meantime the whites had made great preparations for the inauguration of Drew. Early the next morning Drew and Stearns were seen coming out of a house together, as though they had been holding a long consultation. The whites were on hand from Georgia and from all parts of the State in large numbers, and the confiding freedmen came also to see the inauguration of Stearns. Drew seems to have made it all right with Stearns or Stearns with Drew; and Stearns procured a team and drove into the country while Drew was inaugurated. The whites had stationed in an old cotton storehouse close by the capitol, between three and five hundred men, armed with repeating rifles, with the intention of slaughtering the men who might attempt to inaugurate the defeated candidate. Everything, however, passed off quietly, and the new Governor was inaugurated amidst the shouts of thousands of glad-hearted people, both white and black, who now boasted that their votes had done the work. Thus ended the eight years of carpetbag famine and pestilence.

Troops Withdrawn from Louisiana

Annual Cyclopedia 1877, p. 455, *et seq.* The whites refused to submit to the decision of the returning board that gave the electoral votes of Louisiana to Hayes and the state offices to the Radicals. The White League rose in arms and held the state for the Conservative administration. The friends of Hayes promised that the troops would be withdrawn from the South. Meanwhile President Grant refused to recognize either claimant. After the troops were withdrawn the Packard government disappeared. [1877]

DURING the first three months of the year [1877], the two governments,[1] claiming to have a legal basis in Louisiana, continued nominally to exist. Direct conflict was avoided, owing to the presence of United States military forces, with orders to preserve the peace, and a disposition to await the action of the national authorities regarding disputed questions affecting the State. But it soon became evident that the government headed by Mr. Nicholls alone had support from the people. A large number of the leading business men and clergymen of New Orleans joined in declarations of sympathy and support, and numerous popular gatherings, in various parts of the State, gave voice of the general sentiment. On the 9th of January, the courts, police-stations, and arsenals in New Orleans were peaceably surrendered to the Nicholls authorities. . .

EXECUTIVE MANSION,
Washington, March 1, 1877.

Governor S. B. PACKARD, New Orleans, La.:

In answer to your dispatch of this date, the President directs me to say that he feels it his duty to state frankly that he does not believe public opinion will longer support the maintenance of State Government in Louisiana by the use of military, and that he must concur in this manifest feeling.

The troops will hereafter, as in the past, protect life and property from mob violence when the State authorities fail; but under the remaining days of his official life they will not be used to establish or pull down either claimant for control of the State. It is not his purpose to recognize either claimant.

C. C. SNIFFIN, Secretary.

1. The Nicholls government, Conservative, and the Packard government, Radical.

Washington, March 3, 1877.

To Governor F. T. NICHOLLS, New Orleans:

The President says he sent a dispatch to Packard, Thursday, notifying him that troops could no longer be employed to uphold either claimant, and that he does not believe that Packard would attempt any offensive operations.

The President sent the dispatch so that he (Packard) might have time to retire his pretensions, if disposed. The President says instructions have been issued which cancel all orders for the preservation of the *status quo*, and that neither you nor Packard are bound to observe it; that he means the people of Louisiana are as free in their affairs from Federal interference as the people of Connecticut, and that there will be no disposition to interference with them, any more than with the people of New York. The President concurs with us that you immediately issue a proclamation urging protection, amnesty, and peace.

Being asked if a posse executing process of Nicholls' court would be interfered with by the military, he replied: "No more than in any other State." Being asked if Nicholls' officers take possession of the offices in the State without mob violence, would there be military interference, he replied that there would be none; that the military would be used as it had been once in New York, and would be as in any of the States, to overcome a mob too formidable for the civil power or State authorities.

We have submitted the foregoing dispatch, of yesterday, to the President, who has revised it with his own hands, and authorizes us to state that in its present form it is absolutely correct. [Signed by a Committee of Conservatives.]

On the accession of President Hayes, March 4th, it was understood to be his determination to withdraw all military interference from the State, and allow the complications to be settled by the people through such legal agencies as were established. General Grant's avowed purpose of removing the troops from the State-House had been in some way defeated

or prevented, and an order issued to General Augur with that intent was never transmitted; but assurances had been given that the new President would not continue the policy of military intervention. This understanding seems to have been brought about through consultation between Mr. Charles Foster and Mr. Stanley Matthews, of Ohio, on the one side, and Mr. John Y. Brown, of Kentucky, and General J. B. Gordon, of Georgia, on the other. The expectation raised by it was generally believed to have an important effect in preventing any persistent opposition in the House of Representatives to the completion of the electoral count under the decisions of the Electoral Commission. The following writing, in connection with the understanding, was afterward made public by Mr. Brown:

Washington City, February 17, 1877.

GENTLEMEN: Referring to the conversation had with you yesterday, in which Governor Hayes's policy as to the status of certain Southern States was discussed, we desire to say that we can assure you, in the strongest possible manner, of our great desire to have him adopt such a policy as will give to the people of the States of South Carolina and Louisiana the right to control their own affairs in their own way, subject only to the Constitution of the United States and the laws made in pursuance thereof, and to say further, that from an acquaintance with and knowledge of Governor Hayes and his views, we have the most complete confidence that such will be the policy of his administration.

Respectfully,

STANLEY MATTHEWS.

CHARLES FOSTER.

To Hon John B. Gordon and Hon. J. Young Brown.

EXECUTIVE MANSION,

Washington City, April 20, 1877.

SIR: Prior to my entering upon the duties of the Presidency, there has been stationed, by order of my predecessor, in the immediate vicinity of the building used as the State-

House, in New Orleans, La., and known as Mechanics Institute, a detachment of United States infantry. Finding them in that place, I have thought proper to delay a decision of the question of their removal until I could determine whether the condition of affairs is now such as to either require or justify the continued military intervention of the National Government in the affairs of the State. In my opinion there does not now exist in Louisiana such domestic violence as is contemplated by the Constitution as the ground upon which the military power of the National Government may be invoked for the defense of a State. The disputes which exist as to the right of certain claimants to the chief executive office of that State are to be settled and determined not by the Executive of the United States, but by such orderly and peaceable methods as may be provided by the Constitution and laws of the State.

Having the assurance that no resort to violence is contemplated, but, on the contrary, the disputes in question are to be settled by peaceful methods, under and in accordance with law, I deem it proper to take action in accordance with the principles announced when I entered upon the duties of the Presidency. You are therefore directed to see that the proper orders are issued for the removal of said troops at an early date, from their present position to such regular barracks in the vicinity as may be selected for their occupation.

R. B. HAYES.

To Hon. George W. McCrary, Secretary of War.

Troops Withdrawn from South Carolina

Allen, *Chamberlain's Administration*, p. 479. New York *Times* report of a Cabinet meeting held April 2, 1876. Orders were issued on April 3 withdrawing the troops, which was done on April 10, and on the same day the Chamberlain administration disappeared. For the understanding in regard to the withdrawal of troops see the previous document. [1877]

AFTER freely discussing [a letter from Chamberlain], . . it was unanimously decided that the Federal Government has no constitutional right to intrude the army into the official headquarters of a State Government, except to quell riot or sup-

press domestic disturbance when the Government of a State is powerless to protect itself. This exception, in the opinion of the Cabinet, does not now apply to South Carolina; and the determination of the President, therefore, to withdraw the troops from the State-House, was unanimously approved, and Secretary McCrary was instructed to issue an order in accordance with this decision. The Secretary was engaged this afternoon in preparing the necessary order, which will probably be promulgated to-morrow. . .

The order will recite that there being no domestic violence, and no apprehension of any, the parties on both sides having given solemn pledges that none is intended, and having announced their intentions to amicably settle the dispute before the Courts, in accordance with the laws of the State, the President has no alternative but to abstain from interference. Hampton and Chamberlain were both notified of this decision of the Cabinet. Hampton had an interview to-day with Postmaster General Key and other members of the Cabinet, to whom he reported his assurances that he would not resort to violence, but would proceed against Chamberlain in the regular manner through the Courts; and until the question can be judicially settled he will allow no interference with Chamberlain or his supporters in their occupation of the Statehouse. Hampton says that as soon as the troops are withdrawn from the Statehouse he will station his own officers about it, and permit no one to interfere in any way with Chamberlain until the controversy shall be regularly decided by due process of law.

The President's Southern Policy

Allen, *Chamberlain's Administration*, p. 508. Speech of D. H. Chamberlain, July 4, 1877, at Woodstock, Connecticut. [1877]

WHAT is the President's Southern policy? In point of physical or external fact, it consists in withdrawing the military forces of the United States from the points in South Carolina and Louisiana where they had been previously stationed for the protection and support of the lawful Governments of those States.

In point of immediate, foreseen, and intended consequence, it consists in the overthrow and destruction of those State Governments, and the substitution in their stead of certain other organizations called State Governments.

In point of actual present results, it consists in the abandonment of Southern Republicans, and especially the colored race, to the control and rule not only of the Democratic party, but of that class at the South which regarded slavery as a Divine Institution, which waged four years of destructive war for its perpetuation, which steadily opposed citizenship and suffrage for the negro — in a word, a class whose traditions, principles, and history are opposed to every step and feature of what Republicans call our national progress since 1860.

In point of general political and moral significance it consists in the proclamation to the country and the world that the will of the majority of the voters of a State, lawfully and regularly expressed, is no longer the ruling power in our States, and that the constitutional guaranty to every State in this Union of a republican form of government and of protection against domestic violence, is henceforth ineffectual and worthless.

5. JUDICIAL INTERPRETATION OF THE RECONSTRUCTION LAWS

The Purpose of the Fourteenth Amendment

16 Wallace, p. 36. Opinion of Justice Miller. . In effect decides that the Fourteenth Amendment does not limit the "police" powers of the states. [1872]

[BEFORE the adoption of the recent amendments] almost the entire domain of the privileges and immunities of citizens of the States . . lay within the constitutional and legislative power of the States, and without that of the Federal government. Was it the purpose of the fourteenth amendment, by the simple declaration that no State should make or enforce any law which shall abridge the privileges and immunities of *citizens of the United States,* to transfer the security and protection of all the civil rights which we have mentioned, from the States to the federal government? And where it is declared that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the States? . .

Such a construction . . would constitute this court a perpetual censor upon all legislation of the States, on the civil rights of their own citizens, with authority to nullify such as it did not approve as consistent with those rights, as they existed at the time of the adoption of this amendment. The argument we admit is not always the most conclusive which is drawn from the consequences urged against the adoption of a particular construction of an instrument. But when, as in the case before us, these consequences are so serious, so far-reaching and pervading, so great a departure from the structure and spirit of our institutions; when the effect is to fetter and degrade the State governments by subjecting them to the control of Congress, in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character; when in fact it radically changes the whole

theory of the relations of the State and federal governments to each other, and of both these governments to the people; the argument has a force that is irresistible.

We are convinced that no such results were intended by the Congress which proposed these amendments, nor by the legislatures of the States which ratified them. . .

If, however, the States did not conform their laws to its requirements, then by the fifth section of the article of amendment Congress was authorized to enforce it by suitable legislation. We doubt very much whether any action of a State not directed, by way of discrimination, against the negroes as a class, or on account of their race, will ever be held to come within the purview of this provision. It is so clearly a provision for that race and that emergency, that a strong case would be necessary for its application to any other.

The Scope of the Fourteenth Amendment

92 U. S. Reports, p. 542. Case of U. S. *vs.* Cruikshanks. Opinion by Chief Justice Waite. Follows the Slaughter House cases in declaring that national legislation enforcing the Fourteenth Amendment must be directed against violations by states, not by individuals. [October, 1875]

THE fourteenth amendment prohibits a State from denying to any person within its jurisdiction the equal protection of the laws; but this provision does not, any more than the one which preceded it, and which we have just considered, add anything to the rights which one citizen has under the Constitution against another. The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle, if within its power. That duty was originally assumed by the States; and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more. The power of the national government is limited to the enforcement of this guaranty.

First Enforcement Act Unconstitutional

92 U. S. Reports, p. 214. Case of U. S. *vs.* Reese. Opinion by Chief Justice Waite. [October, 1875]

RIGHTS and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. . . The Fifteenth Amendment does not confer the right of suffrage upon any one. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. . . The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. . . It has not been contended, nor can it be, that the amendment confers authority to impose penalties for every wrongful refusal to receive the vote of a qualified elector at State elections. It is only when the wrongful refusal at such an election is because of race, color, or previous condition of servitude, that Congress can interfere, and provide for its punishment. If, therefore, the third and fourth sections of the act [May 31, 1870] are beyond that limit, they are unauthorized. . .

This act . . prescribes rules not provided by the laws of the States. It substitutes, under certain circumstances, performance wrongfully prevented for performance itself. If the elector makes and presents his affidavits in the form and to the effect prescribed, the inspectors are to treat this as the equivalent of the specified requirement of the State law. This is a radical change in practice, and the statute which creates it should be explicit in its terms. Nothing should be left to construction, if it can be avoided. . .

The elector, under the provisions of the statute, is only required to state in his affidavit that he has been wrongfully prevented by the officer from qualifying. There are no words of limitation in this part of the section. . . If this statute limits the wrongful act which will justify the affidavit to discriminate on account of race, etc., then a citizen who makes an affidavit that he has been wrongfully prevented by the officer, which is true in the ordinary sense of the term, subjects

himself to indictment and trial, if not conviction, because it is not true that he has been prevented by such a wrongful act as the statute contemplated; and if there is no such limitation, but any wrongful act of exclusion will justify the affidavit, and give the right to vote without the actual performance of the prerequisite, then the inspector who rejects the vote because he reads the law in its limited sense, and thinks it is confined to a wrongful discrimination on account of race, etc., subjects himself to prosecution, if not to punishment, because he has misconstrued the law. . .

But when we go beyond the third section, and read the fourth, we find there no words of limitation, or reference even, that can be construed as manifesting any intention to confine its provisions to the terms of the Fifteenth Amendment. That section has for its object the punishment of all persons, who, by force, bribery, etc., hinder, delay, etc., any person from qualifying or voting. In view of these facts, we feel compelled to say, that, in our opinion, the language of the third and fourth sections does not confine their operation to unlawful discrimination on account of race, etc. If Congress had the power to provide generally for the punishment of those who unlawfully interfere to prevent the exercise of the elective franchise without regard to such discrimination, the language of these sections would be broad enough for that purpose.

Ku Klux Act Unconstitutional

106 U. S. Reports, p. 629. Case of U. S. *vs.* Harris. Opinion by Justice Woods. [October, 1882]

EVERY valid act of Congress must find in the Constitution some warrant for its passage. . . It is clear that the Fifteenth Amendment can have no application. . .

Section 5519, [a part of Section 2, of the Act of April 20, 1871], according to the theory of the prosecution, and as appears by its terms, was framed to protect from invasion by private persons, the equal privileges and immunities under the laws, of all persons and classes of persons. It requires no argument to show that such a law cannot be founded on a

clause of the Constitution whose sole object is to protect from denial or abridgment, by the United States or States, on account of race, color, or previous condition of servitude, the right of citizens of the United States to vote.

It is, however, strenuously insisted that the legislation under consideration finds its warrant in the first and fifth sections of the Fourteenth Amendment. . . It is perfectly clear from the language of the first section that its purpose also was to place a restraint upon the action of the States. . . The legislation under consideration finds no warrant for its enactment in the Fourteenth Amendment. The language of the amendment does not leave this subject in doubt. When the State has been guilty of no violation of its provisions; when it has not made or enforced any law abridging the privileges or immunities of citizens of the United States; when no one of its departments has deprived any person of life, liberty, or property without due process of law, or denied to any person within its jurisdiction the equal protection of the laws; when, on the contrary, the laws of the State, as enacted by its legislative, and construed by its judicial, and administered by its executive departments, recognize and protect the rights of all persons, the amendment imposes no duty and confers no power upon Congress. . . As, therefore, the section of the law under consideration is directed exclusively against the action of private persons, without reference to the laws of the State or their administration by her officers, we are clear in the opinion that it is not warranted by any clause in the Fourteenth Amendment to the Constitution. . .

Does the Thirteenth Amendment warrant the enactment of sect. 5519 of the Revised Statutes? We are of the opinion that it does not. Our conclusion is based on the fact that the provisions of that section are broader than the Thirteenth Amendment would justify. . . If, therefore, we hold that sect. 5519 is warranted by the Thirteenth Amendment, we should, by virtue of that amendment, accord to Congress the power to punish every crime by which the right of any person to life, property, or reputation is invaded. Thus, under a

provision of the Constitution which simply abolished slavery and involuntary servitude, we should, with few exceptions, invest Congress with power over the whole catalogue of crimes. . .

There is only one other clause in the Constitution of the United States which can, in any degree, be supposed to sustain the section under consideration; namely, the second section of article 4. . . But this section, like the Fourteenth Amendment, is directed against State action. . . It was never supposed that the section under consideration conferred on Congress the power to enact a law which would punish a private citizen for an invasion of the rights of his fellow citizens, conferred by the State of which they were both residents, on all its citizens alike.

We have, therefore, been unable to find any constitutional authority for the enactment of sect. 5519 of the Revised Statutes. The decisions of this court above referred to leave no constitutional ground for the act to stand on.

Civil Rights Act Unconstitutional

109 U. S. Reports, p. 3. Civil Rights Cases. Opinion by Justice Bradley. [1884]

HAS Congress constitutional power to make such a law [Civil Rights Act, 1875]? Of course, no one will contend that the power to pass it was contained in the Constitution before the adoption of the last three amendments. . . It is State action of a particular character that is prohibited. Individual rights is not the subject-matter of the amendment. . . It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation; but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights; but to provide modes of redress against the operation of State laws, and the action of State officers executive or judicial, when these are subversive of the fundamental rights specified in the amendment. Positive rights and privileges are undoubtedly

secured by way of prohibition against State laws and State proceedings affecting those rights and privileges, and by power given to Congress to legislate for the purpose of carrying such prohibition into effect: and such legislation must necessarily be predicated upon such supposed State laws or State proceedings, and be directed to the correction of their operation and effect. . . Until some State law has been passed, or some State action through its officers or agents has been taken, adverse to the rights of citizens sought to be protected by the Fourteenth Amendment, no legislation of the United States under said amendment nor any proceeding under such legislation, can be called into activity; for the prohibitions of the amendment are against State laws and acts done under State authority. . . It is absurd to affirm that, because the rights of life, liberty and property (which include all civil rights that men have), are by the amendment sought to be protected against invasion on the part of the State without due process of law, Congress may therefore provide due process of law for their vindication in every case; and that because the denial by a State to any persons, of the equal protection of the laws, is prohibited by the amendment, therefore Congress may establish laws for their equal protection. In fine, the legislation which Congress is authorized to adopt in this behalf is not general legislation upon the rights of the citizen, but corrective legislation, that is, such as may be necessary and proper for counteracting such laws as the States may adopt or enforce, and which, by the amendment, they are prohibited from making or enforcing, or such acts and proceedings as the States may commit or take, and which, by the amendment, they are prohibited from committing or taking. . .

Civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual. . . If the principles of interpretation which we have laid

down are correct, as we deem them to be . . it is clear that the law in question cannot be sustained by any grant of legislative power to Congress by the Fourteenth Amendment. . . This is not corrective legislation; it is primary and direct; it takes immediate and absolute possession of the subject of the right of admission to inns, public conveyances, and places of amusement. It supersedes and displaces State legislation on the same subject, or only allows it permissive course. It ignores such legislation and assumes that the matter is one that belongs to the domain of national regulation. . . Conceding the major proposition to be true, that Congress has the right to enact all necessary and proper laws for the obliteration and prevention of slavery with all its badges and incidents, is the minor proposition also true, that the denial to any person of admission to the accommodation and privileges of an inn, a public conveyance, or a theatre, does subject that person to any form of servitude, or tend to fasten upon him any badge of slavery? If it does not, then power to pass the law is not found in the Thirteenth Amendment. . .

We are forced to the conclusion that such an act of refusal has nothing to do with slavery or involuntary servitude, and that if it is violative of any right of the party, his redress is to be sought under the laws of the State. . . No countenance of authority for the passage of the law in question can be found in either the Thirteenth or Fourteenth Amendment of the Constitution; and no other ground of authority for its passage being suggested, it must necessarily be declared void, at least so far as its operation in the several States is concerned. . . The first and second sections of the act of Congress of March 1st, 1875, entitled "An Act to protect all citizens in their civil and legal rights," are unconstitutional and void.

6. LEGISLATIVE UNDOING OF RECONSTRUCTION

Amnesty Act of 1872

Statutes at Large, vol. xvii, p. 142. [May 22, 1872]

Be it enacted . . (two-thirds of each house concurring therein), That all political disabilities imposed by the third section of the fourteenth article of amendments of the Constitution of the United States are hereby removed from all persons whomsoever, except Senators and Representatives of the thirty-sixth and thirty-seventh Congresses, officers in the judicial, military, and naval service of the United States, heads of departments, and foreign ministers of the United States.

Limitation on Use of the Army

Public Laws, U. S. A., 45 Cong., 2 Sess., p. 152. Rider to Army Appropriation Act. [June 18, 1878]

SEC. 15. From and after the passage of this act it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section and any person wilfully violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by fine not exceeding ten thousand dollars or imprisonment not exceeding two years or by both such fine and imprisonment.

Army not to be Used at Elections

Public Laws, U. S. A., 46 Cong., 2 Sess., p. 81. Rider to Army Appropriation Act. [May 4, 1880]

SEC. 2. That no money appropriated in this act is appropriat-

ed or shall be paid for the subsistence, equipment, transportation, or compensation of any portion of the Army of the United States to be used as a police force to keep the peace at the polls at any election held within any State: *Provided*, That nothing in this provision shall be construed to prevent the use of troops to protect against domestic violence in each of the States on application of the legislature thereof or of the executive when the legislature cannot be convened.

Federal Election Laws Repealed

Statutes at Large, vol. xxviii, p. 36. The effect of this Act was to discontinue Federal supervision over state elections.

[February 8, 1894]

Be it enacted . . That the following sections and parts of sections of the Revised Statutes of the United States be, and the same are hereby, repealed; that is to say of title "Elective Franchise" sections . . [2002, 2005-2020] . . relating to the appointment, qualifications, power, duties, and compensation of supervisors of election; and also sections . . [2021-2031] . . relating to the appointment, qualification, power, duties, and compensation of special deputies; and also of title "Crimes," sections . . [5506, 5511-5515, 5520-5523] . . relating to election offenses. . .

Sec. 2. That all other statutes and parts of statutes relating in any manner to supervisors of election and special deputy marshals be and the same are hereby repealed.

Disabilities Removed

Statutes at Large, vol. xxx, p. 432. [June 6, 1898]

Be it enacted . . That the disability imposed by section three of the Fourteenth Amendment to the Constitution of the United States heretofore incurred is hereby removed.

7. RESULTS AND LATER CONDITIONS

The Negro's Heritage from the Carpetbaggers

Wallace, *Carpet Bag Rule in Florida*, p. 345. [1885]

ALTHOUGH the carpet-bag Government was overthrown in 1876, a certain property was bequeathed to the colored people by the carpet-baggers which has been and still is to a certain extent very damaging and burdensome to them. They left upon the minds of thousands of our people the impression that the drunkard, the thief or the most ignorant were as fit to represent them in the government as the most intelligent and upright men of the race. They impressed upon the minds of thousands of our people the idea that the great privilege of the suffrage is a purchasable merchandise; that political meetings and conventions must be run and controlled by mobs, . . that the best way to accumulate money and acquire an education was to spend their time in gossiping in politics. The demoralization in which our people were left by the carpet-baggers is gradually being wiped out by the labors of the best men and women and by the colored press of the State. Our people are becoming fully awakened to the necessity of the proper education of their children. The greater portion of them, who heretofore spent their time in going around electioneering for the purpose of pulling carpet-baggers into office to the neglect of legitimate and profitable occupation, now turn their attention to acquiring property and education.

"A Hole in the Ballot-box"

Senate Report on Labor and Capital, testimony, vol. iv, p. 618. Senate committee (1883). Statement of a Georgia negro. [1883]

WHILST these bad politicians had possession of us, and while we hadn't been educated enough to understand how those men were doing, we were in trouble, but we came to look . . for ourselves. We thought we wouldn't vote just as we were told, but we would search a man and see if he was a reasonable man,

whether he was a Democrat or a Republican. Now many of us sometimes support the Democratic candidates as well as the Republican candidates, because we believe that a man who is a Democrat here is more honest than a Republican. . . We don't mind party lines at all now. We are looking out for the best interests of our people, and we are standing in the field and looking for the party that will do us the most justice. What we want is equal rights before the law. . . Some of them are good men, and they proved better men than the Republicans, but still we don't put the whole hog on them. . . And, again, we picked out some men and sent them to the legislature, and those men deceived us, and they made us hewers of wood and drawers of water to ride on. . . Still we are deprived of juries and various things. . . We elected one tax-collector and sent one to the legislature, and he staid there awhile, but the Democrats was in the majority, . . and he never came back any more. . . You see the Democrats was in a majority, and they passed a resolution to tie him up, and he didn't exactly understand the resolution, and some of them voted for the resolution, and whilst they done that it voted him out. . . We are in a majority here, but you may vote till your eyes drop out or your tongue drops out, and you can't count your colored man in out of them boxes; there's a hole gets in the bottom of the boxes some way and lets out our votes. Now, in other ways, we have been getting along very well. There was times when the days was dark; . . Now, when the Democrats get hold of the polls, all the votes are counted, and so we shall ask the Senator to sympathize with us, that we can all step up to the polls and vote without men using violence; they don't do it now, but they used to do it.

"Citizenship Made the Negro a Man"

Talbot, *Samuel Chapman Armstrong*, p. 260. Letter of S. C. Armstrong. Used by permission of Mrs. Talbot and Doubleday, Page and Company. [1887]

After all, being a citizen and a voter has more than anything else made the Negro a man. The recognition of his manhood has done much to create it. Political power is a two-edged

sword which may cut both ways and do as much harm as good. In the main, it has, I believe, been the chief developing force in the progress of the race. It is, however, probable that this would not have been so had it not been for the support of a surrounding white civilization which, though not always kind, has prevented the evils which would have resulted from an unrestricted black vote.

The political experience of the Negro has been a great education to him. In spite of his many blunders and unintentional crimes against civilization, he is to-day more of a man than he would have been had he not been a voter. . . Manhood is best brought out by recognition of it. Citizenship, together with the common school, is the great developing force in this country. It compels attention to the danger which it creates. There is nothing like faith in man to bring out the manly qualities.

Suffrage furnished him (the Negro) with a stimulus which was terribly misused, but it has reacted and given him a training which it was out of the power of churches and schools to impart. The source of American intelligence is not so much the pedagogue as the system which gives each man a share in the conduct of affairs, leading him to think, discuss and act, and thus educating him quite as much by his failure as by his success.

Negro and White Artisans

P. A. Bruce, *Plantation Negro as a Freedman*, ch. xv. Used by permission of Mr. Bruce. Published 1889 by G. P. Putnam's Sons.

[1889]

BEFORE slavery was abolished, every plantation . . was supplied with mechanics from the ranks of the negroes attached to it. . . No slaves played a more useful part in the economy of the plantation than the black mechanics. . . Emancipation had the same general effect on the mechanics as upon every distinct class of the negroes. . . Their desertion of the localities where they had always dwelt virtually meant, in most instances, the abandonment of the trades to which they had been trained by so many years of experience. . . The shops of the carpenters and wheelwrights (which are always similarly situated)

are usually occupied by white men . . one of the most discouraging features of the character of the negroes who have grown up since the war is their extreme aversion to the mechanical trades . . such pursuits constrain them to conform more closely than they like to a steady routine of work which is most arduous and trying, on the whole. . . The places of a few of the mechanics who were trained under the old regime, have been taken by young negroes who have been trained in industrial schools. . . Negroes who have been educated in industrial schools are, however, very rare. In consequence of this, as well as of the fact that the individuals of the race are not inclined to adopt mechanical pursuits, these pursuits, as the mechanics among the freedmen die, are in rural districts gradually falling into the hands of the whites.

The Abodes of the Blacks in Cities

Twenty-first *Report*, Freedmen's Aid Society, p. 45. [1888]

THEY live in low, damp basements or crowded attics, situated on narrow alleys reeking with filth and moral and physical pollution. Their miserable abodes are exposed to the chilly blasts of winter, with leaky roofs that offer but slight protection from the snow and rain. If they were able to do so, in many places they cannot, on account of their color, rent good houses in respectable localities. They often suffer from insufficient clothing, and children may be seen in their bare feet even in the midst of winter. Their food is often of poor quality and lacking in quantity, corn-bread, bacon, coffee, and molasses being the standard diet. They are obliged to labor early and late, wet or dry, cold or hot; and this, with their insufficient clothing, is frequently a prolific cause of disease.

Their ignorance concerning the laws of health is appalling. Their churches are usually crowded, and ventilation is almost unknown. In one of the largest churches in Nashville, in the basement of which services were held for several years, there was only about fifty cubic feet of air-space to each person, only one-tenth of what is necessary; and during protracted meetings they would remain in this poisonous atmosphere for hours.

Agriculture, 1860-1893

Report of Senate Committee on Agriculture and Forestry, on Cotton Production, vol. i, pp. 308-371, *passim*. The first and second selections are from Alabama planters' letters; the third is from Gen. Stephen D. Lee, then president of the Agricultural and Mechanical College of Mississippi. [1893]

[1] THE southern half of Henry and all of Geneva and Coffee counties are in the great pine belt [white districts], a comparatively newly-settled section. The farmers in this section of the district, as a rule, live on their farms and do their own work, and work with their hired help when they have any, and, as a rule, they raise their own supplies of meat and forage and some horses and mules, consequently are in better condition as cotton raisers than in any other portion of the district if not in the State. . .

The State legislature is largely responsible for the credit system, and the present odious negro tenant system, which has fastened the all-cotton system in all the *black belt,* which embraces what is known as the great cotton belt of the State. Soon after the war . . in a mistaken effort to assist the land-poor . . farmer, the legislature enacted what is known as the "crop lien law," making it legal to mortgage an unplanted crop to enable the cotton-raiser . . to borrow money and get advances to make a crop. Unfortunately this law had too wide a scope. It opened up the flood gates of the credit system and turned over the fairest portion of the State to negro tenants, who up to that time was content on the wage or share system to cultivate the lands under the intelligent direction of the land owner or his agent. . . The negro refused to be controlled or to work under the direction of the owner of the farm or an agent, as under this law he could get advances in mules, implements, and supplies as a tenant. The cotton-raisers were forced to rent to the labor on their lands or turn it out to the commons. The whole labor system was completely demoralized. All farm animals, cattle, and hogs, and forage soon changed hands or disappeared, and the farmers generally in this great cotton belt moved to the towns. The tenants relying upon the advancing merchant for food and forage and supplies, raised but little of

these necessities on the farm. . . Food crops now [1893] about 10 per cent. increase over three years ago, 40 per cent. over twenty years, and at least 50 per cent. less than in 1860.

[2] The depression and financial distress among cotton-growers in . . [Sumter] county is attributable, first, to the decline of labor and intelligent management, caused by the abolition of slavery. . . The second cause of said depression is what is known in commercial circles in the South as the "advancing system." Under this system the farm lands [in the Black Belt] are rented to thriftless negro tenants, who mortgage their crops to merchants in the villages and towns for supplies to raise them. Neither the owner of the land or the merchant exercises any control or management over the growing crops. . . The results of this system had been the waste of the farm lands, the destruction of the improvements upon them, and the cultivation of cotton, with very inferior methods of culture, to the practical exclusion of all other crops. The reason why this system came into existence was the demoralization and indolence of the negro after his liberation, and the inability of the landowners to get him to do the labor which he would contract to perform. . .

In 1860 the district [Black Belt] was a land of hog and hominy. Every farm, almost without exception, was self-sustaining; buying meat and corn was considered an evidence of bad management, and the doing so was the rare exception and by no means the rule, as has been ever since.

[3] In 1860 the cotton planters raised their own supplies, and their cotton crop was a surplus one. . . The difficulties of raising food and forage under the new order of things has caused this system to be abandoned. I do not believe it can ever be done again in the black or negro belt under the plantation system. Many have attempted it, but have failed. . . In the white region of the State . . where the white people largely outnumber the negroes, the people generally raise their meat, their forage, and other supplies, and raise their cotton crop as a surplus crop. The people are well to do, and are getting on well, notwithstanding the low price of cotton. Their land,

which formerly was not worth half as much as in black belts, is now valuable by double. . . There is no doubt of the fact that on the richer lands where the negroes are found the financial condition of white and black is worse than it is on the poorer or thinner lands where the white people outnumber the blacks.

Industrial Decay of the Black Belt

C. G. Smith, *Colonization of Negroes in Central Alabama* (pamphlet). Smith is a Northern missionary in the Black Belt. [About 1900]

A SECTION where the white population is rapidly on the decrease and the negro population on the increase; where the ignorance and destitution and suffering among the negroes are greater than in any other portion of the South. . . This section . . is almost the exact size of the German Empire. . .

He [the white in the Black Belt] certainly suffers as much, or more, because of given conditions, than the negro. The negro knew nothing better in the past. The conditions of which I shall speak have reduced the greater portion of the former wealthy class to comparative poverty. There are hundreds of "the old mansion houses" going to decay, the glass broken in the windows, the doors off hinges, the siding long unused to paint, the columns of the verandas rotting away and the bramble thickets encroaching to the very doors. The people have sold their lands for what little they could get and moved to the cities or towns, that they might educate their children and escape the intolerable conditions surrounding them at their old beloved homes. These people are the true aristocracy of the South. . . They are the best friends the negro has. They have this advantage over a Northern philanthropist; they know the negro, his faults and virtues, his weakness and strength. These friends have largely gone from the negro's life, and he is left alone in the wilderness, and, unless others come to take their place, his last state will be worse than his first.

Why this decadence? When freedom came to the slave, the one-time masters undertook to run the plantations by hiring the former slaves. Partly because the white man did not know

how to adjust himself to the new conditions, partly because the slave did not know how to use his freedom, the plantations could not be run, with profit, in this way. The renting of small plats of land, say forty or fifty acres, to a negro family was then generally adopted, and with better success. But this made the negro entirely his own master, and he was ignorant, improvident, and childish. Hence the white man was compelled to use what seemed to be harsh conditions in his contracts with the negro. He was obliged to compel him to raise a certain amount of cotton, on which he held a mortgage. But the negro had to live until his crop was raised, and no one would furnish him with supplies unless he gave a mortgage on the product of his toil. The double mortgages interfered with each other, and it finally developed that the way out of the difficulty was for the white man who rented the land to keep a supply station also. This could not be done by each plantation owner, so one man would rent or buy several plantations, create a supply station and sub-rent to negroes. This resulted, in time, in the formation of great monopolies, so that one man would control a whole county and have depending on him hundreds of negroes. The greater part of the white people, as above stated, moved to the cities and towns to commence again the battle of life under new conditions. Sometimes the man who controls is a just man and wise, and hence, in his section, suffering is at the minimum. Sometimes he is a carpetbagger, who, with a Northerner's push, is there to make money. Sometimes he is a man who has been raised in the South. . .

Land in this section of Alabama can be bought in small and large tracts for from six to seven dollars per acre. The usual rent asked on this land is three dollars per acre, or nearly one-half its actual value. The negroes who rent the land have nothing, hence they must get an advance supply of money for living until the crop is raised. This supply is granted by the landowner on condition that the renter plants and tills a certain amount of cotton, and on this he gives a mortgage. He cannot eat the cotton nor feed it, and he is compelled to take it to a certain place to have it ginned, and here it falls into the hands

of the landowner, and frequently no part of it belongs to the man who raised it when accounts are balanced, and he must start over again and beg for advance for food. Again mortgages are given on his future toil; then some year there comes a partial failure of crops. Then the landlord refuses to grant further advance, and the tenant is stripped of what he has, and turned out to seek a like fate somewhere else. This condition makes it impossible to have a settled community, and hence impossible to do permanent work in enlightenment.

Whites and Blacks as Cotton Producers

J. C. Hardy, in *South's Supremacy in Cotton Growing*, p. 8. Hardy is president of the Agricultural College of Mississippi. [1900]

WITH the coming in of such citizens as this section is now receiving and with the going out of many of our most trifling negroes, the productive power of our people will be greatly increased. One of the greatest losses the South has is the low productive capacity of her colored population. By improving the intelligence, industry and skill of her farm laborers the South can double her cotton production with every other condition remaining the same. To become convinced of this one has only to examine the statistics of the last census [1900], which shows the following facts:

Lowndes county [Mississippi], with three negroes to one white man, having 21,972 blacks and 7,121 whites, requires 3.15 acres to make a bale of cotton, while Jones county, with three whites to one negro, having 13,156 whites and 4,670 blacks, requires 1.98 acres to make a bale. The farm lands of Jones county are valued, as found in the census report, at $2.85 an acre, and the farm lands of Lowndes county are valued at $9.83 an acre.[1] Yet the poor lands of Jones county, under intelligent cultivation, produced nearly twice as much per acre as the rich lands of Lowndes county when cultivated mostly by negroes. Noxubee county, with more than five blacks to one white, having 26,146 blacks and 4,699 whites, requires 3.50 acres to make a bale of cotton, while Union county, with three whites to one

1. That is, in the Black Belt county $30.86 worth of land produces a bale of cotton; in the white county $5.54 worth of land makes a bale.

black, having 12,380 whites and 4,142 blacks, requires only 2.56 acres to make a bale. The farm lands of Noxubee county are valued at $7.12 and the lands of Union are valued at $4.81.[1] Hinds county, with three negroes to one white man, having 39,521 blacks and 13,037 whites, requires 2.50 acres to make a bale, while Perry county, with more than two whites to one negro, requires only 1.96 acres to make a bale. The farm lands of Hinds are valued at three times as much as are those of Perry. In the counties of Leflore, Boliver and Washington, where they have about eight negroes to one white man, but almost without exception the negroes are under white managers, they make one bale to every acre and a half, while in Lowndes, Noxubee and Monroe, where not many white managers are employed, they make on an average about one bale to three acres. While this difference is partly caused by a difference in the fertility of the two groups of three counties, yet the principal reason is due to the superior intelligence used in the management of the first group. This is proved by the fact that in every comparison made between a white county and a black one the black was the most fertile, yet the white was nearly twice as productive.

Morals after Twenty Years

Leigh, *Ten Years on a Georgia Plantation*, p. 237. [1885]

Now for their present moral, physical, and intellectual condition, their own people will tell you . . that they will not only steal money when they get the chance, but their neighbors' poultry, and in fact nearly all they can lay their hands on. Yet before the war absolute confidence was placed in their trustworthiness, and that we were justified in so doing will be seen by some stories I have told in the foregoing pages, of their faithful guardianship of our property, and even money during the trying war times.

Formerly, the race was a most prolific one, and ten or fifteen children a common number to a family; now two or three seem to be the usual allowance, and many of the young women at

1. Black Belt land worth $24.82 produces a bale; land in a white district worth $12.31 produces a bale.

whose weddings I had assisted ten years or so ago, in answer to my question, "Have you any children?" would answer, "I had" one, two, or three, as the case might be, "but dey all dead." Always inclined to be immoral, they have now thrown all semblance of chastity to the winds, and when I said to my old nurse how shocked and grieved I was to find how ill-conducted the young girls were, so much worse than they used to be, she said, "Missus, dere not one decent gal left in de place." Their thirst for knowledge, which made young and old go to school as soon as the war was over, seems to have been quenched entirely, for, with one or two laudable exceptions, no one sends even their children to school now, and soon we shall have to introduce compulsory education. The only two negroes on the place who can write and add up accounts are the one we had educated at the North, and the one we had in England three years. And yet it is twenty years since they were free, and have been their masters.

"Coming out of Egypt"

Senate Report on Labor and Capital, testimony, vol. iv, p. 776. Statement of Bishop Halsey of the Colored M. E. Church. [1883]

It does seem sometimes that our people are not making much progress in the improvement of morals, but my belief is that there is a very great progress made in that direction. . . I believe we are passing from chaos to order. If you will allow me to use negro phraseology, we are "coming out of Egypt," and our people say that there must be a wilderness between Egypt and the promised land. They say, "What else can you expect," and they say that for the last ten or fifteen years they have been in the wilderness. We have had a number of Moseses, you know, a great many of them, who have led us one way and another.

Criminal Negroes

Bruce, *Plantation Negro*, ch. vi. Copyright 1889. Used by permission of Mr. Bruce. [1889]

They violate the principal clauses of the Criminal Code less

often than we would be led to expect. . . They rarely become desperate and turbulent by the force of the most vehement passion, except when under the dominion of an ardent physical appetite. . . It should not be forgotten, too, that his usual temper is mild and easy, reflecting in its brightfulness and cheerfulness the sunny climate of his primitive continent. . . The greater number of the brawls in which individuals of their race are involved among themselves have their incentive in the vehement passions aroused by heated disputes as to proprietorship in women. . . The negro is not disposed to have affrays with members of the other race. . . Rape is the most frightful crime which the negroes commit against the white people, and their disposition to perpetrate it has increased . . and it will be seen that this disposition will grow in proportion as that vague respect which the blacks still entertain for a white skin declines. . . White women of every class, from the highest to the lowest, are afraid to venture to any distance alone, or even to wander unprotected in the immediate vicinity of their homes; their appreciation of the danger being as keen, and their apprehension of corporal injury as vivid, as if the country were in arms.

Societies among the Blacks

Senate Report on Labor and Capital, testimony, vol. vi, p. 344. Statement of Mrs. Ward. These societies are an important factor in negro social life. [1883]

THERE is a society organized among them to look after and provide for the wants of those who are out of a job. That makes them perfectly independent and relieves them from all fear of being discharged, because when they are discharged they go right straight to some of these "sisters." They have a great many societies and they have some funny names for them. They have the society of the "Immaculate Doves," and the society of the "Sisteren," and the society of the "Beloved Disciples," and societies with all kinds of curious names within their church organizations, and those societies undertake to take care of their members. When one dies the members all come out in uniform, men and women, and parade up

and down the town with white bonnets and black dresses, and, in fact, whenever they hear of the death of any brother or sister it is just like a " 'scursion" to them.

Hostility of the Low Whites

Senate Report on Labor and Capital, testimony, vol. iv, p. 380. Statement of J. A. Scott, a negro lawyer of Birmingham. [1883]

I CAN say that the advancement and progress of the colored people has been remarkable. The fact that they have rushed into the towns in the South has been caused by a desire which took possession of them just after the surrender and during the days of reconstruction, to obtain protection. The colored people and the poor white people have been two distinct classes, and they have been antagonistic to each other ever since they have been together in this country, and that natural antagonism just after the war was intensified, and all the trouble and disorder that we had in the South was the result, I believe, of the antagonism and bad feeling which existed between those two classes. During the days of slavery a colored man would refer to a poor white man as poor white trash, and there was a natural antipathy between them, and there has always been bad feeling.

"The Only Trouble Now"

Senate Report on Labor and Capital, testimony, vol. iv., p. 454. Statement of J. K. Green, negro, formerly a politician, now a carpenter in Montgomery, Alabama. [1884]

HERE is the only thing that we are troubled about now, about civil rights. A colored man and his wife may go to work to get a little home, may go hungry and naked to educate a daughter, the dearest treasure that they have got, and the very moment that she begins to come up there is an inroad made upon her by the whites of this country, and we have got no redress in the world. They can't deny that. Now I want as much civil rights and rules to regulate and protect my family as any white man does, and if I catch a man under such circumstances I won't hurt him but once! . .

That is what we want, to protect the virtue of our girls. That is the rights I want. I don't want no social equality with the white people, and I don't want them to have none with me. I see the influence of this thing every day. There has been a time when they were opposed to such things, but now that we are free the parents of the children can't even protect their children, and there ain't a white man here can deny it. That is the trouble in this country. Give the nigger a chance and he is going to till the white man's soil, and he is going to keep out of his house too. There is some fools, of course, but generally if they let the nigger alone he won't interfere with them.

A gentleman white man won't lose no time to aggravate and insult and abuse away his time with a colored man unless he happens to be drunk. It is no hard thing for us to get along with the gentlemen in this country. You can get along with the gentlemen here or anywhere, on the cars or on the streets, or anywhere.

Jim Crow Cars

Senate Report on Labor and Capital, testimony, vol. iv, p. 382. Statement of J. A. Scott, a negro lawyer. [1883]

THERE has been a universal discrimination here in Alabama, and, indeed, all over the South, in the treatment of the colored people as to cars they are permitted to ride in. The white people have always labored under the impression that whenever a colored man attempted to go into a ladies' car, he did it simply because it was a car for white people. Now if the white people looked at it as we look at it, taking a common-sense view of it, they would see that that idea is erroneous and false. We go into those cars simply because there are better acommodations there, and because we secure better protection in the ladies' car, for the general sentiment of the white men certainly protects their ladies. But in the cars allotted to the colored people a white man comes in and smokes cigars, and chews tobacco, and curses and swears, and all that kind of thing, and the conductors on the various roads don't exercise their powers for the protection of the colored passengers. We made these complaints to the railroad commission, and the pres-

ident of the commission told us that it was a matter within their jurisdiction, and that they would take cognizance of it, and would see that those complaints were looked into, and those evils remedied. We asked simply for equal accommodation and protection with the white people in riding on the railroads, and the 22d day of this month was set for a final hearing, and the superintendent of railroads was summoned to be there at the final hearing of the matter, and we have the assurance of the gentlemen of the commission that the subject will be acted upon promptly, and that the vexed question — for this is one of the most vexed questions that we have to deal with in the South — will be settled. We expect, therefore, that so far as Alabama is concerned, the people of both races will have equal accommodation. Our people do not care whether they are put in the front of the train or in the middle or at the tail end, so long as they have proper accommodation and proper protection.

Superstition among the Blacks

Twenty-first *Report*, Freedmen's Aid Society, p. 45. This report represents conditions, not general, but widespread; it also is an indication of that discouragement that came over the Northern missionaries after the 70's. [1888]

THE Christian religion is supposed to lengthen the lives of those who possess it; but when it takes the form of fatalism, it has the contrary effect. When a person believes that he can not die until his time comes, he is likely to become careless in regard to his health, and neglect those things which would tend to preserve it; and when sickness comes, it is, of course, useless to call a physician, as he would be unable to overrule the decrees of fate; but it is certainly a great satisfaction to the doctor who may be called to attend such a case, and the patient dies, to be informed by the friends that they felt that he had done all he could, and that no one, however skillful, could have saved the person's life; for it was manifest that the time to die had come. Superstition plays no small part in increasing the deathrate. Voudoo doctors, conjurers, and quacks, here find a most inviting field in which to ply their art.

This superstition is apparently of African origin, modified and changed, with large additions derived from the white man and the Indian. In some of its phases it closely resembles the old New England witchcraft, with other names which signify the same thing. When a person is said to be "tricked," it means the same as good old Dr. Mather would have called bewitched; and if popular opinion is to be believed, it is of common occurrence at the present day. . .

I was once called upon to prescribe for a woman who seemed to be suffering from some obscure disease. My treatment was attended with rather indifferent success. One day her uncle met me on the street, and said: "We have found out what was the matter with my niece. We suspected that she had been tricked, and on opening the pillow we found a bag there, which was the cause of her sickness. We removed it; at once she began to recover, and is now nearly well."

The Negro Churches

(1) Wallace, *Carpet Bag Rule in Florida*, p. 346, and (2) Montgomery Conference, *Race Problems*, p. 120. The first statement is by a negro; the second by a white missionary to the blacks. Within the past twenty years numerous capable and moral negro ministers have made their influence felt and though they are probably still in a minority yet it is an increasing one. [1885, 1900]

[1] THE future is full of hope. Prejudice on account of color, is passing away, and the negro has experienced his worst day in this state. But there is one pillar under the right-hand corner of this great edifice of progress that is full of decay and which threatens its destruction. It is the greatest enemy of our people, and must be met and destroyed. Whence comes this threatened danger? Strange, but nevertheless true, it proceeds from the house of God, and its name is Immorality — Licentiousness. Numbers of immoral and ignorant men have invaded the pulpits of our churches and are using the livery of Heaven to serve the Devil in. In some of the church denominations the Board of Examination of candidates to preach are in no better standing as to morality and education than are the candidates, and therefore, often, unfit candidates have no trouble in procuring a

license to preach. In many instances these disciples of Satan are frequenters of bar-rooms, and their conduct is no better than the lowest class that frequent such places. These men have in times past been guilty of every wrong that can be committed against innocence and virtue, and have violated every moral law and obligation. It will require energetic work and patient teaching to put up the bars against them.

[2] The Negro churches have grown too rapidly. The very aggressiveness which separate existence has developed has been a source of trouble to the church. Instead of a considerable number of churches which would be real bearers of light to the race, there are a great multitude of them with the line so poorly marked between the church and the world that it is difficult to tell where one begins and the other ends. It is a fact worth mentioning that of the Presbyteries in which the church I serve as secretary is interested, those which have been in organic connection with our white synods are composed of a class of men superior to those in those Presbyteries which have had for a number of years an independent existence. I think that having been in touch with the white synods has helped them to keep up their standard. The Negro is not a strong race. Neither sentiment nor legislation can exalt him to such a position. His best friends will appreciate this and regarding him as a subject of missionary work, endeavor to help him here in the same way that we would help him in Africa. In my judgment the spiritual condition of the Negro is in its worst possible stage. It is a condition which calls loudly for some action on the part of white people.

8. LIMITATION OF THE SUFFRAGE

Mississippi Suffrage Plan

Constitution of the State of Mississippi, adopted November 1, 1890. The first of the Southern constitutions to limit the suffrage and thereby disregard the limitation placed upon the state when readmitted after the war. For the limitations see Volume i, pp. 476, 477, 478.
[1890]

SEC. 241. Every male inhabitant of this State, except idiots, insane persons and Indians not taxed, who is a citizen of the United States, twenty-one years old and upwards, who has resided in this State two years, and one year in the election district, or in the incorporated city or town in which he offers to vote, and who is duly registered as provided in this article, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy, and who has paid, on or before the first day of February of the year in which he shall offer to vote, all taxes which may have been legally required of him, and which he has had an opportunity of paying according to law for the two preceding years . . and who shall produce to the officers holding the election satisfactory evidence that he has paid said taxes, is declared to be a qualified elector. . .

Sec. 242. The Legislature shall provide by law for the registration of all persons entitled to vote at any election. . .

Sec. 243. A uniform poll tax of two dollars to be used in aid of the common schools . . is hereby imposed on every male inhabitant of this State between the ages of twenty-one and sixty years. . . No criminal proceedings shall be allowed to enforce the collection of the poll tax.

Sec. 244. On and after the first day of January, A. D. 1892 . . every elector . . shall be able to read any section of the constitution of this State; or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof. . .

Sec. 264. No person shall be a grand or petit juror unless a qualified elector and able to read and write.

South Carolina Suffrage Plan

Constitution of the State of South Carolina, article ii. Adopted December 4, 1895. South Carolina was the next state after Mississippi to limit the exercise of the suffrage. [1895]

SECTION 4. The qualifications for suffrage shall be as follows:

(a) Residence in the State for two years, in the County one year, in the polling precinct in which the elector offers to vote four months, and the payment six months before any election of any poll tax then due and payable. . .

(b) Registration, which shall provide for the enrollment of every elector once in ten years, and also an enrollment during each and every year of every elector not previously registered under the provisions of this Article.

(c) Up to January 1st, 1898, all male persons of voting age applying for registration who can read any Section in this Constitution submitted to them by the registration officer, or understand and explain it when read to them by the registration officer, shall be entitled to register and become electors. A separate record of all persons registered before January 1st, 1898, . . shall be filed, . . and such persons shall remain during life qualified electors unless disqualified by the other provisions of this Article. . .

(d) Any person who shall apply for registration after January 1st, 1898, if otherwise qualified, shall be registered: *Provided,* That he can both read and write any Section of this Constitution submitted to him by the registration officer or can show that he owns, and has paid all taxes collectible during the previous year on property in this State assessed at three hundred dollars ($300) or more.

(e) Managers of election shall require of every elector offering to vote at any election, before allowing him to vote, proof of the payment of all taxes, including poll tax, assessed against him and collectible during the previous year.

The "Grandfather" Plan

Constitution of the State of Louisiana, adopted May 12, 1898. In force after December 31, 1898. "Grandfather" clause in operation after September 1, 1898. [1898]

[ARTICLE 197] Sec. 3. He [the elector] shall be able to

read and write, and shall demonstrate his ability to do so when he applies for registration, by making, under oath administered by the registration officer or his deputy, written application therefor, in the English language, or his mother tongue, which application shall contain the essential facts necessary to show that he is entitled to register and vote, and shall be entirely written, dated and signed by him, in the presence of the registration officer or his deputy, without assistance or suggestion from any person or any memorandum whatever, except the form of application. . .

Sec. 4. If he be not able to read and write, as provided by Section three . . then he shall be entitled to register and vote if he shall, at the time he offers to register, be the bona fide owner of property assessed to him in this State at a valuation of not less than three hundred dollars . . and on which, if such property be personal only, all taxes due shall have been paid. . .

Sec. 5. No male person who was on January 1st, 1867, or at any date prior thereto, entitled to vote under the Constitution or statutes of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than twenty-one years of age at the date of the adoption of this Constitution, and no male person of foreign birth, who was naturalized prior to the first day of January, 1898, shall be denied the right to register and vote in this State by reason of his failure to possess the educational or property qualifications prescribed by this Constitution; provided, he shall have resided in this State for five years next preceding the date at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898, and no person shall be entitled to register under this section after said date. . .

A separate registration of voters applying under this section, shall be made by the registration officer of every parish. . .

The registration of voters under this section [5] shall close on the 31st day of August, 1898, and immediately thereafter the registration officer of every parish shall make a sworn copy,

in duplicate, of the list of persons registered under this section, showing in detail whether the applicant registered as a voter of 1867, or prior thereto, or as the son of such voter, or as the grandson of such voter, and deposit one of said duplicates in the office of the Secretary of State . . and the other of said duplicates shall be by him filed in the office of the Clerk of the District Court of the parish. . .

All persons whose names appear on said registration lists shall be admitted to register for all elections in this State without possessing the educational or property qualification prescribed by this Constitution, unless otherwise disqualified, and all persons who do not by personal application claim exemption from the provisions of sections 3 and 4 of this article before September 1st, 1898, shall be forever denied the right to do so. . .

Art. 198. No person less than sixty years of age shall be permitted to vote at any election in the State who shall not, in addition to the qualifications above prescribed, have paid on or before the 31st day of December, of each year, for the two years preceding the year in which he offers to vote, a poll tax of one dollar per annum, to be used exclusively in aid of the public schools of the parish in which such tax shall have been collected. . .

Art. 200. No person shall vote at any primary election or in any convention or other political assembly held for the purpose of nominating any candidate for public office, unless he is at the time a registered voter. And in all political conventions in this State the apportionment of representation shall be on the basis of population.

"Old Soldier" and "Grandfather" Plans

Constitution of the State of Alabama, adopted 1901. Permanent provisions in force after 1902. The Virginia constitution adopted later in the same year has practically the same provisions. [1900]

[178] To entitle a person to vote at any election by the people, he shall have resided in the State at least two years, in the county one year, and in the precinct or ward three months, immediately preceding the election at which he offers to vote,

and he shall have been duly registered as an elector, and shall have paid on or before the first day of February next preceding the date of the election at which he offers to vote, all poll taxes due from him for the year 1901, and for each subsequent year. . .

[180] The following male citizens of this State, who are citizens of the United States, and every male resident of foreign birth who, before the ratification of this Constitution, shall have legally declared his intention to become a citizen of the United States, and who shall not have had an opportunity to perfect his citizenship prior to the 20th day of December, 1902, 21 years old or upwards, who, if their place of residence shall remain unchanged, will have at the date of the next general election the qualifications as to residence prescribed in Section 182 of this constitution, shall upon application be entitled to register as electors prior to the 20th day of December, 1902, namely:

First — All who have honorably served in the land or naval forces of the United States in the war of 1812, or in the war with Mexico, or in the war with the Indians, or in the war between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States, or of the State of Alabama in the war between the States; or,

Second — The lawful descendants of persons who honorably served in the land or naval forces of the United States in the war of the American Revolution, or in the war of 1812, or in the war with Mexico, or in any war with the Indians, or in the war between the States, or in the land or naval forces of the Confederate States, or of the State of Alabama in the war between the States; or,

Third — All persons who are of good character and who understand the duties and obligations of citizenship under a republican form of government.

[181] After the first day of January, nineteen hundred and three, the following persons, and no others, who will have . . qualifications as to residence . . shall be qualified to register as electors. . .

(1) Those who can read and write any article of the Constitution of the United States in the English language, and who are physically unable to work, and those who can read and write any article of the Constitution of the United States in the English language, and who have worked or been regularly engaged in some lawful employment, business or occupation, trade or calling for the greater part of the twelve months next preceding the time they offer to register; and those who are unable to read and write, if such inability is due solely to physical disability; or,

(2) The owner in good faith, in his own right, or the husband of a woman who is owner in good faith, in her own right, of forty acres of land situated in this State, upon which they reside; or the owner in good faith, in his own right, or the husband of any woman who is owner in good faith, in her own right, of real estate, situated in this State, assessed for taxation at the value of three hundred dollars or more, or the owner in good faith, in his own right, or the husband of a woman who is the owner in good faith, in her own right, of personal property in this State assessed for taxation at three hundred dollars or more; provided, that the taxes due upon such real or personal property for the year next preceding the year in which he offers to register shall have been paid, unless the assessment [shall] have been legally contested and is undetermined.

[183] No person shall be entitled to vote or participate in any primary election, party convention, mass meeting or other method of party action of any political party or faction who shall not possess the qualifications prescribed in this article for an elector, or who shall be disqualified from voting under the provisions of this article.

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